

**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## NOTICE OF PUBLIC MEETING - PLANNING COMMISSION

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 17 January 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

## COMMISSION MEETING AGENDA

### 7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

### 7:05 PUBLIC HEARINGS AND ACTION

1. Code Amendment for Definition of Non-Family Occupant within Residential Zones..... *see attachment*

### OTHER ACTION ITEMS (none)

### 7:20 DEVELOPMENT CODE / STANDARDS REVIEW

2. Facilities for Elderly and Persons with Disabilities Code Amendment Discussion ..... *see attachment*
3. "Reasonable Accommodation" Code Relocation Discussion..... *see attachment*

### 7:50 PLANNING COMMISSION BUSINESS

4. Review and approve 2013 Planning Commission Meeting Schedule ..... *see attachment*
5. Review and approve minutes of 11/23/12 & 12/13/12 Commission Meetings..... *see attachment*
6. City Council Update
7. *Other Business*

### ADJOURNMENT

## CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 10 January 2013 and delivered to each member of the Planning Commission on 10 January 2013.

Planning Commission Coordinator: *Marissa Bassi* Date: 10 January 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION MEETING

January 17, 2013

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, January 17, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Kevin Hansbrow Sharon Dahlstrom, David Clark, Clint Ashmead  
*Absent:* Debbie Cloward, Jed Pfaff, Randy Jones  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Weston Youd, *Council*

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## CODE AMENDMENT FOR DEFINITION OF NON-FAMILY OCCUPANT WITHIN RESIDENTIAL ZONES

Kelly Liddiard, Chair opened the public hearing at 7:05 PM.

There was not any public comment.

Kelly Liddiard, Chair closed the public hearing at 7:06 PM.

Shay Stark, Planner indicated the ordinance has been gone over before and it is simply adding the following statement to all the residential zones "The number of unrelated individuals residing in a dwelling unit shall not exceed four (4)". The statement will be added to the end of each code for the residential zones.

Sharon Dahlstrom asked if there was any talk about waiting until after the lawyers are done discussing.

Shay Stark indicated that the lawyer's discussion does not affect this code because the city is just meeting the state code. The city is just clarifying what is already there under the definition of family and moving it into each of the sections so people will see it.

**SHARON DAHLSTROM MOVED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL THE NON-FAMILY OCCUPANT LIMITATIONS IN RESIDENTIAL ZONES AS PROPOSED.**

**VOTE: YES – ALL (5), NO – NONE, ABSENT (3) DEBBIE CLOWARD, JED PFAFF, RANDY JONES**

## FACILITIES FOR ELDERLY AND PERSONS WITH DISABILITIES CODE AMENDMENT DISCUSSION

Shay Stark indicated that he talked to the mayor regarding the attorney's discussion last week and nothing had happened just yet. [There are not any lawsuits.] When the mayor had talked previously to the attorney, Mr. Dan McDonald, that the city had retained, he said the attorneys were specifically looking at the distance between the different facilities. The attorney told him not to proceed within the ordinance until the current issues were straightened out.

Sharon Dahlstrom was concerned that if the discussions dragged out for 6 months or more because is someone else applied for a disability center, then there isn't an ordinance in place to prohibit the distance between facilities. Do they get grandfathered in because there application was before the ordinance was approved?

Shay Stark replied that it is a "catch 22" because if the ordinance is amended and the city is taken to court, they can argue that the city is trying to change the rules as the city goes along.

Sharon Dahlstrom asked if they can be grandfathered so it doesn't affect them. Would the distance between facilities affect them because of the assisted living facility? Is it too close?

Shay Stark said they are only looking at one center, but the city is looking at the entire community. The way the ordinance is currently written, it only is for residents for persons with disabilities and centers serving those people. The current ordinance has nothing to do with the elderly.

Sharon Dahlstrom asked if the new ordinance would be for both elderly and persons with disabilities.

Shay Stark said that needs to be discussed.

Kelly Liddiard thought they were going to be separate for assisted living centers and the other.

Shay Stark said that was discussed and since then, after going through all of the state code, Mr. Stark is now seeing why the code was written the way it was originally and where some of the numbers came from. State law regarding elderly indicates the distance between facilities cannot be greater than  $\frac{3}{4}$  of a mile. It also states that eight people can be housed in one facility.

Sharon Dahlstrom indicated that she had read something about except in zones for specifically single family.

Shay Stark said it does say something like that in one section, but in another section it states it is conditional and the other section says it is a permitted use. It is very confusing. It does not pertain to care centers, only residential facilities.

Kelly Liddiard asked if it pertains to Beehive home.

Shay Stark confirmed. The first statute talks about that the home owner has to live in the house. So in Mr. Stark's opinion, that is not a commercial facility.

Kelly Liddiard was wondering if there was a little more leeway for the city code with the elderly than with the residential treatment facility.

Shay Stark said that they should keep the two separate. Whatever is done, they need to make sure that it is applied equally to everybody, but obviously, state code says there can be eight people allowed in a house. But there is not state code stating eight people are allowed for persons with a disability. All that has to be done is meet the minimums in the non-familial status section. Kelly Liddiard feels he would like to keep the two separate because he thinks they are totally different entities.

Shay Stark thinks that they can be kept separate. If the city decides that they are okay with the eight people in with the elderly people, but everywhere else it is applied across the board for four people. The city can show that the only reason for the eight people with elderly is because it is state code, but everyone else is being treated the same. If the distance is changed from the previous thought of a mile down to  $\frac{3}{4}$  of a mile, it only potentially adds a couple more facilities making around three for the city. Kelly Liddiard said that would put the city in line with state code.

It was determined to get it all together to move on it at a public hearing and send to City Council and be ready when the lawyers are done with their discussions.

Shay Stark indicated there are some things that need to be worked out so the attorneys feel comfortable that there is not going to be a lawsuit.

Sharon Dahlstrom asked how it would be affected if there is only one facility in Elk Ridge. The distance that is put into place won't preclude it.

Kelly Liddiard said he didn't think the attorneys wanted anything to "muddy the water".

Sharon Dahlstrom understood, but was concerned that it would open the city to another facility coming in too close to the other. Once the application is made, then it puts the city in a bad position again.

It was decided that the planning commission would do a public hearing and then the city council could wait until the lawyers give the go ahead to proceed.

Councilman Youd indicated that if there was a facility applying and challenging the distance code, the city council would most likely waive it to avoid federal repercussions. In the next legislative session, the distance and spacing between facilities will be reviewed and could be removed because of the question of why would there be spacing on another minority class.

Sharon Dahlstrom refuted that the residential home for disabilities is set up like a business. The minority of a Native American doesn't apply. There aren't homes set up for just the Native Americans.

Councilman Youd counseled to proceed. But if it ever comes up, the city will expect to be challenged if it is enforced.

Kevin Hansbrow commented that the city could put it in the code and waive it if the time comes.

Kelly Liddiard said if someone sees it in the code; it might discourage them from coming in or not pushing the issue.

Shay Stark said if the state strikes the distances from other facilities in the code, then the city removes it from their code.

The planning commission would like to go with the state code of  $\frac{3}{4}$  mile straight across for elderly, as well as persons with a disability facilities.

#### **"REASONABLE ACCOMMODATION" CODE RELOCATION**

Shay Stark explained that if somebody who comes in who has three or four people with autism living in a home together so they can help each other and someone to help them live life skills and there are two or three other residents for persons with a disability in the community and they want to put a home right in the center of those facilities...maybe 1,000 feet away from one and  $\frac{1}{2}$  a mile away from the other one. The whole purpose of the reasonable accommodation clause is if the above people with autism come in, they are not able to because the letter of the law prohibits that, but with "reasonable accommodation" they are able to make a request to make a reasonable accommodation and there is a given criteria that the city must review. If it doesn't affect the given criteria, it's going to create a hardship to the community if the facility moves in at a distance less than what was set in the code. So they could go through the process to waive the letter of the law for the spirit of the law and allow them in. Mr. Stark is simply proposing a move of the reasonable accommodation clause from the "persons with disabilities" code to its own section. A public hearing will be set for the "reasonable accommodation" clause, as well.

#### **2013 PLANNING COMMISSION MEETING SCHEDULE**

The proposed schedule for planning commission meetings for the year is every second Thursday of each month with the exception of January and February, which is the third Thursday.

**KELLY LIDDIARD MOTIONED AND CLINT ASHMEAD SECONDED TO APPROVE THE 2013 PLANNING COMMISSION MEETING SCHEDULE AS PROPOSED. VOTE: YES – ALL (5), NO – NONE, ABSENT (3) DEBBIE CLOWARD, JED PFAFF, RANDY JONES**

#### **APPROVAL OF 11/23/12 AND 12/13/12 PLANNING COMMISSION MEETING MINUTES**

There were not any corrections for the minutes of 11/23/12 and 12/13/12.

**KEVIN HANSBROW MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF NOVEMBER 23, 2012 AS WRITTEN. VOTE: YES – ALL (5), NO – NONE, ABSENT (3) DEBBIE CLOWARD, JED PFAFF, RANDY JONES**

**KELLY LIDDIARD MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF DECEMBER 13, 2012 AS WRITTEN. VOTE: YES – ALL (5), NO – NONE, ABSENT (3) DEBBIE CLOWARD, JED PFAFF, RANDY JONES**

#### **CITY COUNCIL UPDATE**



Councilman Weston Youd provided an update regarding the facility for persons with a disability. The lawyers are still talking and a lawsuit has not been pursued at this point. According to city code, the people are free to move. They are waiting on a state license.

Councilman Youd also brought a question from the city council regarding the building size amendment that was brought forward to the city council. The question was whether the garage and other non-livable space were included in the building table. The planning commission agreed that it was not included and it didn't change from the previous code.

Councilman Youd also asked if it was a good idea to keep the irrigation main hookup in the planter strip in Elk Ridge Meadows subdivision. Salisbury was given an accommodation that they wouldn't have to hook up the irrigation line since there wasn't irrigation water yet. Later, when they hookup, they will need to put in a box. Secondary water lines are run through the street but not up to each lot. Phase 1 would like the same accommodation that was given to Salisbury in Phase 2 of not requiring hooking up each lot with a box for secondary water. The planning commission did not remember the issue coming through them so Councilman Youd will take it back to the city council.

Kelly Liddiard asked how the storm drain fee went with the city council and public hearing.

Councilman Youd indicated that the public hearing went surprisingly well. There were not any public complaints about the increase to \$6.50. There were calls for an additional increase, but the city council didn't dare. Part of the motion was to have the storm drain fee reviewed in three years. Mr. Youd explained that the water enterprise is doing well, but the storm drain accounting is suffering.

#### OTHER BUSINESS

Planning Coordinator indicated in February, the planning commission would be voting in a new chair and co-chair. Also, indicated there are three planning commission members whose terms are expiring and that the mayor would contact them to see if they would like to be reinstated. The alternate would then move up to a full-time member if there is a vacancy. Otherwise, the alternate would be reinstated for another year. The mayor will make recommendations to the city council. The next meeting will be held on February 21, 2013.

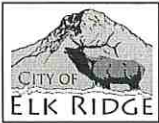
**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:58 p.m.

  
Planning Commission Coordinator

1

2

3



## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 21 February 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **7:05 PUBLIC HEARINGS AND ACTION**

1. Code Amendment for Distances for Facilities for Elderly and Persons with Disabilities .... *see attachment*
2. Code Amendment for "Reasonable Accommodation" Clause Relocation ..... *see attachment*

#### **OTHER ACTION ITEMS (none)**

#### **7:20 DEVELOPMENT CODE / STANDARDS REVIEW**

3. PUD Lot Frontage Discussion ..... *see attachment*

#### **7:50 PLANNING COMMISSION BUSINESS**

4. Review and approve minutes of 1/17/13 Commission Meeting ..... *see attachment*
5. Voting of planning commission chair and co-chair
6. City Council Update
7. *Other Business*

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 15 February 2013 and delivered to each member of the Planning Commission on 15 February 2013.

Planning Commission Coordinator: *Marissa Bassi* Date: 15 February 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION MEETING

February 21, 2013

## TIME AND PLACE OF PLANNING COMMISSION MEETING

A regular scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, February 21, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Kevin Hansbrow, Jed Pfaff  
*Absent:* Debbie Cloward, David Clark, Clint Ashmead, Sharon Dahlstrom  
*Others:* Shay Stark, Aqua Planner  
Marissa Bassir, Planning Commission Coordinator

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## DISTANCES BETWEEN FACILITIES FOR ELDERLY AND PERSONS WITH DISABILITIES PUBLIC HEARING

Kelly Liddiard, Chair opened the public hearing at 7:05 PM.

There was not any public comment.

Kelly Liddiard, Chair closed the public hearing at 7:06 PM.

Shay Stark indicated that at the last planning commission meeting it was discussed to make the distance between facilities  $\frac{3}{4}$  mile because that is what the state law requires for facilities for the elderly. So the code for the persons with disabilities facilities distance was changed from  $\frac{1}{4}$  mile to  $\frac{3}{4}$  mile. The assisted living facilities distance was changed from  $\frac{1}{4}$  mile to  $\frac{3}{4}$  mile. That brings the city code in line with the state code. Mr. Stark also stated that there are some questions with the attorneys as to what is going to happen in the current legislation because the courts are not recognizing the distances at all. It may be totally removed, but it is good for the city to have something in place.

ACTION FOR THIS AGENDA ITEM WAS TABLED DUE TO LACK OF QUORUM.

## "REASONABLE ACCOMMODATION" CODE RELOCATION PUBLIC HEARING

Kelly Liddiard, Chair opened the public hearing at 7:09 PM.

There was not any public comment.

Kelly Liddiard, Chair closed the public hearing at 7:09 PM.

Shay Stark stated that in the code for the persons with disabilities there is a reasonable accommodation clause at the end where it is a safety valve to keep the city from ending up in court over fair housing issues with disabled people. The idea was to move that out of residences for persons with a disability and place it in its own section so that if there are any issues that come up under any development scenario the process can be utilized.

ACTION FOR THIS AGENDA ITEM WAS TABLED DUE TO LACK OF QUORUM.

## PUD LOT FRONTAGE DISCUSSION

Shay Stark provided a background indicating that back in 2001 the R-1-12,000 zone was added as a PUD. In 2005 when the elk ridge meadows was first proposed there were some modifications to the zone, but the PUD was still tied to the R-1-12,000 zone. In 2010, the PUD was separated and created as an overlay so that it could be used with any of the zones and lot sizes. The purpose for a PUD is to provide a scenario if someone chooses to come to the city with a proposal that they will provide open space and park land for 25 % of their development parcel that they will dedicate to the city or else protect it under the home owners association. In trade for the open space, they are able to develop at a higher density based on the zone. In the R-1-12,000 zone it states in the lot frontage that the lot has to be a minimum of 80 feet long, but if there is a cul-de-sac or an elbow curve the frontage can be as small as 60 feet. That was carried through with the R-1-12,000 zone. The issue is that the PUD doesn't include the elbow curve or cul-de-sac frontage of 60 feet. Where it becomes an issue is when there is a cul-de-sac when using a 80 foot frontage the smallest lot is 8500 square feet when the developer is allowed a lot as small as 7500 square feet. There wasn't any room to play with the building and forcing the smallest house to be built. Where a developer would have been allowed four or five lots, they are only allowed two or three with the current lot frontage requirements. Mr. Stark is recommending making the lot frontage for the PUD the same as the other zones, although some of the larger zones do not have the same wording and operate off of a percentage based on 40 feet back in from the face of the cul-de-sac in the lot and distance across. However, there is a statement below it that basically says that the street access in front of any lot is a minimum of sixty feet. So even if they can work it out smaller, they will still have to provide sixty feet frontage.

Jed Pfaff asked if the frontage of the lot would make it have one great big front yard before it starts to build in a cul-de-sac.

Shay Stark answered that it is measured from 40 feet back. The proposed code would just be bringing it in consistent with the other zones. The wording just needs to be the same in the PUD as in the R-1-12,000 zone. One sentence has been left off and it is still consistent with the larger lot zones because of the street frontage minimum of sixty feet. This issue has come up because of the Elk Ridge Meadows 5 & 6 plans and there is a code that states the stricter code would be followed.



69  
70 **APPROVAL OF 1/17/13 PLANNING COMMISSION MEETING MINUTES**

71 There were not any corrections for the minutes of 1/17/13.

72  
73 There was not a quorum to vote.

74  
75 **VOTE FOR PLANNING COMMISSION CHAIR AND CO-CHAIR**

76 There was not a quorum to vote.

77  
78 **CITY COUNCIL UPDATE**

79 There was not a council member present for an update.

80  
81 **OTHER BUSINESS**

82 The next planning commission meeting is scheduled for March 14<sup>th</sup> and currently there is not anything scheduled other than the  
83 action items from this meeting.

84  
85 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:20 p.m.

86  
87  
88  
89  
  
Planning Commission Coordinator



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF SPECIAL JOINT WORK SESSION  
PLANNING COMMISSION & CITY COUNCIL**

Notice is hereby given that the Elk Ridge Planning Commission will hold a special joint work session at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Tuesday, 5 March 2013**
- Meeting Time - **Work Session - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**WORK SESSION AGENDA**

**7:00 pm ELK RIDGE MEADOWS PHASES 5-10 SUBDIVISION DISCUSSION**

**ADJOURNMENT**

**CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 28 February 2013 and delivered to each member of the Planning Commission and City Council on 28 February 2013.

Planning Commission Coordinator: *Maurissa Bassin* Date: 28 February 2013

1

2

3

# ELK RIDGE JOINT WORK SESSION

March 5, 2013

## TIME AND PLACE OF JOINT WORK SESSION

A special work session of the Elk Ridge Planning Commission and City Council was held on Tuesday, March 5, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Sharon Dahlstrom, David Clark  
*City Council:* Erin Clawson, Nelson Abbott, Paul Squires, Brian Burke, Mayor Hal Shelley, Weston Youd (phone)  
*Absent:* Debbie Cloward, Clint Ashmead, Kevin Hansbrow, Jed Pfaff  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Cody Black, *Public Works Director*  
*Public:* Christine Sturm, Callie Johnson, Bailie Barter, Zach Adams, Brooke Anderson, Jenessa Wood

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:05 PM. Opening remarks were said by Brian Burke followed by the pledge of allegiance.

## ELK RIDGE MEADOWS PHASES 5-10 SUBDIVISION DISCUSSION

Mayor Hal Shelley summarized that the city council and the planning commission were meeting to identify and summarize what the city would like to see with the development that is across the street from the public works building. There are a handful of issues that need to be addressed and be able to give Mr. Dean Ingram some direction from the city.

Shay Stark, City Planner provided a memo and an overview of the situation at hand. Mr. Ingram submitted pretty much the same layout as Mr. Randy Young had proposed in 2008. At the January 22, 2008 city council meeting, he was basically told that everything looked good and they approved the sale of the property for the school, but at that point the council wanted them to look at the roundabout and putting it in. There was prior discussion regarding the use of the city's property for the roundabout. After that, there was nothing else discussed. Mr. Dean Ingram has since purchased the property and he is looking at developing something on the same parcel. The first layout was submitted and at the same time Mr. Ingram had announced that the school was looking at purchasing additional property from Mr. Ingram in phase 10. Mr. Ingram said the reasoning for the purchase was that the school wanted to have control of the property on Cottontail Lane because they didn't want to have dark corners where they aren't easily seen. They want to protect the children. If the school was to purchase that property, Mr. Ingram said they would just leave it as open space. Mr. Ingram proposed replacing the proposed park on the west side of Elk Ridge Drive and swap it out onto the east side. The area on the east side is not as large as the park would be on the west side. Mr. Ingram mentioned he could possibly talk with the Clowards and purchase some additional property that is adjacent to the park that was put in as part of phase 2 in Elk Ridge Meadows. The revised set of plans indicates that the open space has been moved to the east side of Elk Ridge Drive and he mentions in the plans that an additional 1.27 acres would be purchased from the Clowards for offsite park and open space. Mr. Stark is still going through the numbers. Mr. Ingram has 97 lots shown, but the density on the project has dropped from the original. It is because of the additional acreage. The overall size of the project is larger. 86 lots were the total lots that were allowed. 11 lots were given by the city council as a credit for open space for the school parcel. The original development agreement allowed the density of 3.63 dwellings per acre. The first submittal from Mr. Ingram was 3.11 dwellings per acre. The way things are forced to be laid out on the site really limits what the developer can do. The revised plans incorporate the land that the school might purchase, which is on the east side and becomes the open space for the phase. The previously submitted park has been filled in with additional lots. There were several issues that have come up with the new plans as well as at TRC. Under the PUD ordinance the lot frontage was required to be 80 feet no matter if it was on a cul-de-sac or straight lot, which doesn't match with any of the other ordinances and what the PUD ordinance originally stated. All the other ordinances state 60 feet in cul-de-sacs and curves. Therefore, there has been a code amendment brought forth to the planning commission, but since the submitted plat has been submitted already, it will have to be taken care of on the development agreement. With the first submittal, Mr. Ingram only brought half of the development because the city code states that there is only one year after preliminary approval to submit for final approval. There is only one extension for preliminary and Mr. Ingram didn't feel he was going to be able to develop the entire development in the two year period. So he brought forward what he knew he would be able to develop. The problem with only submitting three phases is that very little of the open space is included. The other issue is relocating Elk Ridge Drive. It cannot be relocated one phase at a time. It needs to be relocated at once and that is a massive expense for anyone to bear. It is recommended to re-phase the project so Elk Ridge Drive in place as quickly as possible, but the connections will be made until it is completed. So that allows the developer to spread the costs over several phases. If the development possibly fails, then the city doesn't want to be left without Elk Ridge Drive connecting. Also, sewer and water has to be maintained until the development is completed. To protect the city, the project needs to be looked at as a whole. Mr. Ingram presented the entire project in exchange for some special extensions because he feels he can get the project done within four years. The city can consider extensions in the development agreement with some performance requirements. The other two issues were roundabout and the possibility of using the city property for the roundabout. The grade coming into the roundabout is 6 percent and going out of the roundabout the grade is 4 percent. From an engineering perspective it is possible to put it there. Reviewing the various lots in the development, the ordinance states the lots have to be 7500 square feet. It works on most of the lots except on a corner lot because of the setbacks. With a building envelope of 1400 square feet, the ordinance states the building must be 1800 square feet without a basement. So it just doesn't work.

Weston Youd, Council, was concerned about the transportation plan being changed.

Kelly Liddiard, PC Chair indicated that wasn't a problem for Goosenest and Elk Ridge Drive – not to the streets that have already been planned.

68 Mayor Shelley indicated that the access points will work well. His concern was crowding Goosenest onto the city property about 500  
69 feet and the width would be a minimum of 65 feet wide for the distance, which is taking out of the city's corner lot where they wanted  
70 to one day build a city center and the roundabout would take approximately a half acre.

71 Weston Youd, Council asked what it is being exchanged for.

72 Mayor Shelley replied that Mr. Ingram would exchange for property that he would purchase from Clowards that would adjoin the  
73 park that exists in phase 2. Mayor wasn't sure what advantage it was for the city. All the parks would come back to the city, but that  
74 makes an issue of trying to maintain the parks. Is there some other way he could compensate the city?

75 Nelson Abbott, Council indicated that he remembered if the roundabout was going to encroach upon city property, there was going to  
76 be an exchange for lots within his development that the city could turn around and sell and generate revenue to pay off that property.  
77 The city wasn't necessarily looking for more open space. The city wanted to keep the park where it was to prevent a "great wall of  
78 Elk Ridge" like Salem has. There is going to be six foot fences up against the sidewalk along Elk Ridge Drive.

79 Kelly Liddiard, PC Chair commented that it was discussed about double frontage lots along Elk Ridge Drive. The city does not want  
80 that. They want the open feeling along Elk Ridge Drive. Mr. Liddiard stated that even though the school is public property, but yet it  
81 is controlled access. During school hours it is not open to the public. It is not until after school that those grounds become available  
82 for public use.

83 Nelson Abbott, Council indicated the park impact fee was put into place based on a certain number of homes, a certain amount of  
84 square footage for park and if that is messed up then the park impact fees will be affected. There will be problems with setbacks. The  
85 setbacks will need to be looked at because of the recent change of building square footage. Accessory structures will also need to be  
86 looked at because they all interplay with the calculations. The city wants the monument and trees and everything that was previously  
87 discussed.

88 Erin Clawson, Council agreed. It goes against the city's general plan. The general plan for parks and open space is for development  
89 to obtain them, not to combine them to make them less and still get the minimum requirement.

90 Mayor Shelley said it has allowed Mr. Ingram 17 additional lots and what has the city gained in the process? Mayor doesn't see that  
91 the city has gained very much and thinks that the city will have lost in the process. If there is the "great wall of Elk Ridge", that is not  
92 what the city desires.

93 Kelly Liddiard, PC commented that his deal with talking to Clowards and purchasing property from them is going to be divided by a  
94 road and what he is thinking of purchasing is not comparable to what is being lost.

95 Sharon Dahlstrom, PC commented that the placement of the park on the initial plan is perfect. It is a nice open space along the  
96 entrance to the city.

97 Nelson Abbott, Council indicated that it affects the trail plan because there is a trail through the open, but also phase 7 will cut into the  
98 open.

99 Kelly Liddiard, PC pointed out that Mr. Ingram has eliminated part of the trail system. In the cul-de-sac on Pine Tree Cove there is  
100 supposed to be a trail that is a back access to the school and it has been eliminated through lot 23.

101 Mayor Shelley explained that there were so many hours and questions back then that would relate to what the city would become and  
102 what it shouldn't become, it should stay the way it was originally planned. There will be some fencing along Elk Ridge Drive.

103 Sharon Dahlstrom, PC indicated that there was supposedly a trail along there and the fencing wouldn't be against the street.

104 Shay Stark, city planner commented that the right-of-way is still the same so the trails are still there in the plan.

105 Kelly Liddiard, PC was concerned that the walk way between lots 50 and 51 was a bad place for it. The walk way should come out to  
106 a stop sign or a crosswalk.

107 Shay Stark, city planner said that he made a note to move the walk way to move down so it comes out onto the trail. The traffic can at  
108 least see them before they make the crossing on the road. Mr. Stark thinks there need to be two crossings.

109 Sharon Dahlstrom, PC indicated that if there was a park there, then it wouldn't be a problem.

110 Nelson Abbott, Council said there was discussion that took place regarding the crossing to the school that there would be some sort of  
111 traffic calming device, whether it be a chicane or a speed hump to get people to intentionally slow down. The smallest lot is 8280  
112 square feet on the original plan and on the updated plan, it is smaller. Mr. Ingram is flirting with the buildable envelope on almost  
113 every single lot. It is tricky if they want to build anything bigger than 1400 square feet.

114 Shay Stark, city planner explained that if he went to TRC the following day and told Mr. Ingram that they would rather see the  
115 previous proposal. Two issues that need to be resolved is the roundabout and will the city allow Mr. Ingram a couple of extra  
116 extensions so that he will bring the whole project forward at once.

117 Kelly Liddiard, PC indicated that in the original agreement the city was going to work with the developer with the phasing.

118 Shay Stark, city planner explained that the problem is that it also says in the agreement that there would only be four phases and there  
119 would be coordination of all the high dollar items that were on Mr. Ingram's piece of property. Neither one of these items have  
120 occurred. Obviously the four phases did not apply after the bankruptcy issue and the property was split off and sold to other owners.  
121 The reason the city is in a bad position is because these items were not bonded for so these things could occur.

122 Mayor Shelley confirmed phases one, two, three, and four should have also helped finance Elk Ridge Drive and the roundabout.

123 Nelson Abbott, Council said that it already did happen, but Mr. Randy young sold and cashed out.

124 Shay Stark, City Planner indicated that he thought the developer's agreement had been ignored. Mr. Stark's intent is to put together a  
125 new development agreement and stick with it. An agreement can be put together that is specific to the project.

126 Kelly Liddiard, PC agreed.

127 Sharon Dahlstrom, PC asked what the advantage is for the roundabout. Is it worth taking the city property and changing the plans?

128 Mayor Shelley explained that the function as he understood it was that it is a traffic calming device.

129 Sharon Dahlstrom, PC asked why a stop sign could not just be installed.

130 Mayor Shelley replied that it would be logistically difficult to stop especially when going uphill in the winter. Mayor had Cody black  
131 measure the slopes and elevations of Elk Ridge Drive right now and it is similar but a little steeper. So the reason for the roundabout is  
132 because of the slopes. The roundabout looks like it could encroach about 65-75 feet into city property which is about half an acre.



There are currently 8 acres the city owns. The city could make it work but it is donating that property. In order for the roundabout to work with the slopes in the use of the city property is necessary.

Kelly Liddiard, PC asked what the average slope of the road would be.

Shay Stark, City Planner replied that it depends how it is handled. There are two areas where there is a drop off of 10 percent. The area north is fairly narrow and will probably be graded out so everything is 4 to 6 percent grade. If there is a short section of 10 percent, it is not going to be a safety issue if it is short. If it is long, then it needs to be about 8 percent. Coming out of the roundabout there needs to be a 4 percent grade for about 100-200 feet. Then there needs to be a transition onto the 4 percent grade.

Mayor Shelley said coming up Elk Ridge drive measured about 8 percent.

Cody black, Public Works Director explained he started measuring from the center of Elk Ridge drive where the current road is and for 200 feet it is about 4 or 5 percent and the next 200 feet is about 8 percent and then it flattens.

Kelly Liddiard, PC said he deals with the roundabout every day and does not like it traffic wise, but he thinks this is the best solution for this road. Mr. Liddiard personally thinks the city would benefit by donating half-acre to make the roundabout work. That is all the city is giving up as far as the land. Mr. Ingram is the one has to build it.

Nelson Abbott, Council commented that in previous discussions there was to be a trade that the developer would give the city a half-acre in lots in exchange for the half-acre for the roundabout. The city could make money by turning around and selling half-acre and lots.

Shay Stark, City Planner said the city would probably want the lots rather than open space.

Mayor Shelley commented that Mr. Ingram would have to negotiate with Clowards to take care of coming off of Cloward Lane onto Gooseneat Drive and not straight onto Elk Ridge Drive. It would have to go back toward the east probably about 400-500 feet before they could come out logistically a safer place to make the roundabout work.

Nelson Abbott, Council said that another option would be to talk with Lee Haskell and buy some property from him to give to the city in exchange for the ground used for the roundabout. The property would be contiguous with the city property.

Mayor Shelley indicated that Mr. Haskell had been in contact with him asking if the city would like to purchase the property that is just south of the city property, which would square up the city property. It would not be developed property.

Shay Stark, City Planner commented that it would be a bigger benefit because of the location next to the city property.

Mayor Shelley said it would be about half acre and is square or rectangular. Mayor indicated that Mr. Haskell has some plans and might be more apt to negotiate because it would benefit him.

Shay Stark, city planner asked the council and the planning commission if the city would be willing to credit Mr. Ingram for the open space that would be sold to the school district knowing that it would be an open grassy area and wouldn't be developed.

Kelly Liddiard, PC indicated that he would not have a problem crediting Mr. Ingram for the open space because he has already been credited the 5.5 that the school already owns.

Shay Stark, city planner explained that there was earlier discussion about the school purchasing the extra property and the open space should not be considered as part of the open space.

Sharon Dahlstrom, PC does not want to see the planned park eliminated.

Mayor Shelley clarified that they would keep the original plan, but allows Mr. Ingram to sell the property to the school district. The city would not benefit from it and Mr. Ingram does because it allows him more open space and it works within his responsibilities for open space.

Kelly Liddiard, Chair said he is allowed to sell to the district and have the open space, but also keep the park on the west side of Elk Ridge Drive.

Shay Stark, city planner indicated that Mr. Ingram would be better off developing those lots and selling them to make more money.

Mayor Shelley explained that Mr. Ingram is trying to swap open space and get rid of the park, but still meet the open space requirement with the open space that would be sold to the school district. Mayor Shelley recommended going to the TRC (3/6/13) with Mr. Stark's recommendation to not remove the roundabout, make a new or amend the development agreement that is consistent with the original to the extent possible, allow Mr. Ingram to use the city property for the roundabout if Mr. Ingram can exchange for Lee Haskell's property, but stick with the development agreement to give him more than one extension (2-3 perhaps).

Nelson Abbott, Council commented that as long as the road is done and the development is progressing.

Shay Stark, city planner indicated that Mr. Ingram thought it would take about four phases and possibly into the fifth phase to pay for the completion of road. If Mr. Ingram could deed the road to the city up front, then the city could possibly let him finish the park in the few phases.

Sharon Dahlstrom, PC asked how much time that would take.

Mayor Shelley indicated that each extension would be a year and Mr. Ingram estimated about 2-3 years.

Shay Stark, city planner said he told Mr. Ingram that the phasing would need to be done carefully because traffic cannot be re-routed until the road is completed. Mr. Stark is still not happy with the phasing plan. The road needs to be done as soon as possible, but don't want him to go bankrupt in the process.

Further discussion took place regarding the private drive and the re-routing of Elk Ridge Drive, as well as connecting Sky Hawk Way with Elk Ridge Meadows Phase 2.

Shay Stark, City Planner indicated that on the original concept Silver Wolf Road and Quaking Aspen Drive is too long – it is almost 500 feet longer than what the code would allow for streets without intersections so the recommendation is to push Quaking Aspen Drive to Golden Eagle Way so it would be a "T" there. Mr. Stark indicated that Cottontail Lane is also too long, but that will be addressed when the school district builds.

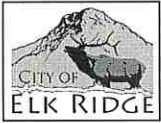
**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting 8:15 p.m.

  
Planning Commission Coordinator

]

]

]



## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 14 March 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **PUBLIC HEARINGS AND ACTION (none)**

#### **7:05 OTHER ACTION ITEMS**

1. Facilities for Elderly and Persons with Disabilities Code Amendment..... *see attachment*
2. "Reasonable Accommodation" Code Amendment..... *see attachment*

#### **7:15 DEVELOPMENT CODE / STANDARDS REVIEW**

3. PUD Lot Frontage Discussion..... *see attachment*

#### **7:25 PLANNING COMMISSION BUSINESS**

4. Review and approve minutes of 1/17/13 & 2/21/13 Commission Meetings..... *see attachment*
5. Voting for planning commission chair and co-chair
6. City Council Update
7. *Other Business*

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 8 March 2013 and delivered to each member of the Planning Commission on 8 March 2013.

Planning Commission Coordinator: *Marissa Bassin* Date: 8 March 2013

1

2

3



# ELK RIDGE PLANNING COMMISSION

March 14, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, March 14, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Kevin Hansbrow, Debbie Cloward, David Clark  
*Absent:* Clint Ashmead, Sharon Dahlstrom, Jed Pfaff  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Erin Clawson, *City Council*  
*Public:* Angela and Dallan Olson

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## DISTANCES BETWEEN FACILITIES FOR ELDERLY AND PERSONS WITH DISABILITIES CODE AMENDMENT

Shay Stark, city planner indicated that at the last planning commission meeting, a public hearing was held for the distances between facilities for both the elderly and persons with disabilities. In order to meet the state law, it was discussed to use ¾ mile between the two types of facilities. There were not any comments at the public hearing.

**KEVIN HANSBROW MOTIONED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL THE NEW DISTANCES FOR FACILITIES FOR ELDERLY AND PERSONS WITH DISABILITIES AMENDMENT. VOTE: YES – ALL (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**

## REASONABLE ACCOMMODATION CODE AMENDMENT

Shay Stark indicated there was a public hearing at the last planning commission meeting for the reasonable accommodation relocation, which took place on March 14, 2013. Mr. Stark explained that with the persons with disabilities code that was amended a few months ago, there was a reasonable accommodation clause at the end, which acts as an opportunity for those that may appeal to bring their appeal forward and work through a process. The reason for it is to keep the city from getting into fair housing issues with federal court. In considering the reasonable accommodation, it was realized that there might be other planning and zoning issues that could come up with people who are recognized with the Federal Fair Housing Act. So it is proposed that the "reasonable accommodation" clause be moved to its own section in the code so it can be utilized if issues come up.

**DAVID CLARK MOTIONED AND KEVIN HANSBROW SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE REASONABLE ACCOMODATION CODE RELOCATION. VOTE: YES – ALL (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**

## PUD LOT FRONTAGE DISCUSSION

Shay Stark explained that it is proposed to add the same language under the PUD requirements that are currently allowed in other zoning requirements to allow a 60 foot minimum frontage in situations where there are lots fronting a cul-de-sac or on an elbow curve – a tight curve where 80 feet just isn't reasonable. It would match the same requirements in the rest of the zones. Last planning commission meeting there was a discussion about it and just needed direction from planning commission whether or not to move forward with a public hearing.

Kelly Liddiard, Chair said it made sense to make it copasetic with the other zones. Mr. Liddiard's direction was to set a public hearing.

## APPROVAL OF 1/17/13 AND 2/21/13 PLANNING COMMISSION MEETING MINUTES

There were not any corrections for the minutes of 1/17/13 and 2/21/13.

**KEVIN HANSBROW MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF JANUARY 17, 2013 AS WRITTEN. VOTE: YES – ALL (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**

**KELLY LIDDIARD MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE PLANNING COMMISSION MEETING MINUTES OF FEBRUARY 21, 2013 AS WRITTEN. VOTE: YES – ALL (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**



**VOTING FOR PLANNING COMMISSION CHAIR AND CO-CHAIR**

**KEVIN HANSBROW NOMINATED AND DEBBIE CLOWARD SECONDED FOR KELLY LIDDIARD FOR PLANNING COMMISSION CHAIR PERSON. KELLY LIDDIARD ACCEPTED. VOTE: YES (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**

**KELLY LIDDIARD NOMINATED AND DAVID CLARK SECONDED KEVIN HANSBROW FOR PLANNING COMMISSION CO-CHAIR PERSON. KEVIN HANSBROW ACCEPTED. VOTE: YES (4), NO – NONE, ABSENT (3) CLINT ASHMEAD, SHARON DAHLSTROM, JED PFAFF**

**CITY COUNCIL UPDATE**

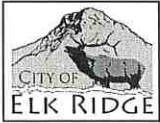
An update was not available.

**OTHER BUSINESS**

Angela Olson was concerned about Salisbury using the open space by their home in Elk Ridge Meadows Phase 2 for additional building lots. She was assured by the planning commission that they have not been approved to use the open space for additional lots. Salisbury had previously proposed to the city the plan to use a strip of open space for a couple extra lots in exchange for the park. The surrounding community did not give their consent for Salisbury to continue with the plan and it was dropped. The resident had recently received an email from Salisbury with an attached map of the additional lots so the resident was very concerned. Angela Olson was also concerned about the landscaping in the open space. Salisbury had hydro seed sprayed and hadn't removed any weeds or even clean out the debris. It was not landscaped to the expected standards. Erin Clawson, City Council, indicated she would take the concern to the city council to see what can be done since the landscape bond had already been released.

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting 7:40 p.m.

  
Planning Commission Coordinator



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 11 April 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

## **COMMISSION MEETING AGENDA**

### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

### **7:05 PUBLIC HEARINGS AND ACTION**

1. PUD Lot Frontage Code Amendment ..... *see attachment*

### **OTHER ACTION ITEMS (none)**

### **7:20 DEVELOPMENT CODE / STANDARDS REVIEW**

2. Horizon View Farms Concept - Rick Salisbury

### **7:40 PLANNING COMMISSION BUSINESS**

3. Review and approve minutes of 3/5/13 Commission Meeting ..... *see attachment*
4. City Council Update
5. *Other Business*

### **ADJOURNMENT**

## **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 4 April 2013 and delivered to each member of the Planning Commission on 4 April 2013.

Planning Commission Coordinator: *Marissa Bassi* Date: 4 April 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION

April 11, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, April 11, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, Kevin Hansbrow, Debbie Cloward,  
*Absent:* Clint Ashmead, Sharon Dahlstrom, Jed Pfaff, David Clark  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Weston Youd, *City Council*  
Rick Salisbury, Chris Salisbury, Greg Magleby (LEI Engineer)

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## PUD LOT FRONTAGE CODE AMENDMENT PUBLIC HEARING

The PUD lot frontage is currently 80 feet minimum for lots on an elbow curve or cul-de-sac. It is proposed that the lot frontage be amended to be in sync with other zones at a minimum 60 feet for lots on an elbow curve or cul-de-sac.

Kelly Liddiard, Chair opened the public hearing at 7:07 pm.

There was not any public comment.

Kelly Liddiard, Chair closed the public hearing at 7:08 pm.

## THERE WAS NOT A VOTE DUE TO LACK OF QUORUM.

## HORIZON VIEW FARMS CONCEPT

Shay Stark explained the background for Elk Ridge Meadows Phase 4, which Salisbury has taken over and is now Horizon View Farms. It was approved for 74 townhome units based on the development agreement. A previous plat had gone through the approval process back in 2008 and was approved with townhomes and single family homes, but that approval is expired. Mr. Stark reviewed the below memo.

### ***Background:***

*On March 13, 2013 a Pre-submittal Meeting was held with the Salisbury's and their engineer to answer questions concerning the vested rights associated with the Horizon View Farms (formerly Elk Ridge Meadows Phase 4) parcel. The Developer specifically wanted to determine the options available. The interest seems to be in developing single family lots that are smaller than the 7,500 square feet minimum required in the PUD Overlay Zone.*

*The history of this parcel is extensive. The parcel is part of the Elk Ridge Meadows Development and thus is bound by the terms of the 2005 Annexation Development Agreement. Attached is a memo that explains the vested rights for this parcel based upon the Annexation Development Agreement, previous City actions, and the PUD Overlay Zone ordinance.*

*In brief, the vested rights associated with the parcel allow two options for development of the parcel. Those options include a multi-family option and a single family option.*

*The multi-family option is allowed under the PUD Overlay Zone and was spelled out on the June 2006 Preliminary Drawings for the Elk Ridge Meadows Development as 74 townhouses. The calculations for total lots as detailed in the 2005 Annexation Development Agreement include these in the total even though they are not expressly called out. In 2007 and again in 2008 the Planning Commission and City Council approved plats based upon this concept.*

*The second option is the development of single family lots. The parcel is approximately 10.64 acres with some area removed by Sky Hawk Way. Cottontail Lane is also expected to push north through the parcel to connect to 11200. Open space for this parcel is included in the Phase 1 and 2 open space. However, the development must provide trails connecting the surrounding phases with the park and open space. The terms in the development agreement allow a density of 3.63 dwellings per acre and a bonus density of up to 4.54 dwelling units per acre. The PUD Overlay Zone ordinance requires a minimum of 7,500 square feet per lot. The minimum lot size, tied with the setback, minimum lot frontages, and potentially minimum living floor area control the number of lots that can be built on the site. With roads taken into consideration the calculated total number of lots that would fit on the site is between 30 and 34. This is 2.80 to 3.20 dwelling per acre. Please note that because of the additional open space requirements*

*City of Elk Ridge 2 Memo - PUD Lot Frontage Length Amendment*

*Planning Commission Public Hearing*

*April 11, 2013*



other phases have ended up with densities lower than this. In short, in order to reach the 3.63 dwellings per acre or the 4.54 dwellings per acre an amendment to the code or a variance would be necessary modifying not only minimum lot size but also frontages and setbacks.

It is possible that some sort of Hybrid mix could also be proposed that could likely meet the requirements of PUD Overlay Zone Ordinance but it would need to involve a swap of something on the order of 2.5 townhome units per one single family lot and still meet the minimum lot size, lot frontages, and setbacks. With this scenario, if approximately 50% of the land were dedicated to single family lots, the total single family lots would be somewhere in the range of 15 to 16 lots and roughly 34 townhomes. That is assuming that a suitable layout could be contrived that would support these numbers.

**Recommendation:**

At this point it is unclear exactly what the Developer is going to propose. This is just a discussion as the Developer has not yet submitted an application and any opinions expressed cannot be considered as binding.

Mr. Greg Magleby, LEI indicated Mr. Salisbury is looking at doing a hybrid mix of townhomes and single family homes consisting of a total of 74 units.

Mr. Rick Salisbury indicated there would be an HOA to take care of the exterior of the townhomes, as well as the single family homes.

A plan was distributed and there will be multiple facades of the townhomes and the single family homes will just be split townhomes. The concern from the planning commission is the zero lot lines for the single family homes and the fact that the phase was deemed a multi-family dwelling. The definition of multi-family is three or more attached units.

Kevin Hansbrow commented that in looking at the design of the subdivision, he thought the townhomes would be better placed in the center of the subdivision. He was concerned with the fact that the townhomes would most likely house young families, therefore, children visiting the playground that is planned for the center.

Kelly Liddiard indicated he was more concerned with the spacing between the single family homes.

Mr. Chris Salisbury replied that they have a project in Spanish Fork called Legacy Farms that has zero lot line and it looks good. The address is about 400 North and 2000 East.

The planning commission agreed that they would go look at the project in Spanish Fork and provide comments back to the planning commission coordinator who would then distribute. [Kelly Liddiard has since looked at the project and thinks it will be fine.]

Shay Stark indicated the development agreement would have to be amended if they would like to have single family homes because the development agreement states that phase 4 is approved for 74 units. Another option would be to amend the PUD Overlay Zone ordinance. This option was not favorable to the planning commission.

Kevin Hansbrow suggested having Salisbury go to the city council for their thoughts and opinions regarding the plans.

It was decided that Salisbury would attend a city council meeting to discuss their proposal and wait for the comments from the planning commission after viewing Legacy Farms subdivision in Spanish Fork.

**APPROVAL OF 3/5/13 AND 3/14/13 PLANNING COMMISSION MEETING MINUTES**

**THERE WAS NOT A VOTE DUE TO THE LACK OF A QUORUM.**

**CITY COUNCIL UPDATE**

Kelly Liddiard asked Councilman Youd what was happening with Don Meacham's property up by Loafer Canyon.

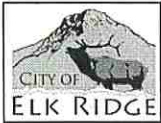
Weston Youd, City Council indicated that Mr. Meacham would like to annex some property into the city. He is doing some grading and will eventually be doing an intercity agreement with woodland hills for use of the water.

**OTHER BUSINESS**

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting 8:30 p.m.

  
Planning Commission Coordinator





**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## NOTICE OF PUBLIC MEETING - PLANNING COMMISSION

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 9 May 2013**
- Meeting Time – **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

## COMMISSION MEETING AGENDA

### 7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

### 7:05 PUBLIC HEARINGS AND ACTION

1. Christensen Conditional Use Permit – Hobby Animal (Chickens) ..... *see attachment*

### OTHER ACTION ITEMS

2. PUD Lot Frontage Code Amendment ..... *see attachment*

### 7:20 DEVELOPMENT CODE / STANDARDS REVIEW

3. Elk Ridge Meadows 5-10 Concept – Dean Ingram ..... *see attachment*

### 7:40 PLANNING COMMISSION BUSINESS

4. Review and approve minutes of 3/5/13, 3/14/13 & 4/11/13 Commission Meetings ..... *see attachments*
5. City Council Update
6. *Other Business*

### ADJOURNMENT

## CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 2 May 2013 and delivered to each member of the Planning Commission on 3 May 2013.

Planning Commission Coordinator: *Maissa Bassin* Date: 2 May 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION

May 9, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, May 9, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, David Clark, Colin Logue  
*Absent:* Clint Ashmead, Sharon Dahlstrom, Jed Pfaff, Debbie Cloward, Kevin Hansbrow  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Mayor Shelley, Dean Ingram, Matt Brown, Kyle Houghton

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Mayor Shelley followed by the pledge of allegiance.

Mayor Shelley introduced the new alternate planning commission member, Colin Logue. Mayor Shelley indicated that Mr. Logue would be nothing but an asset to the city with all his business experience. He has very good insights.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## CHRISTENSEN CONDITIONAL USE PERMIT PUBLIC HEARING - CHICKENS

Kelly Liddiard, Chair, opened the public hearing at 7:12 pm.

There was not any public comment.

Kelly Liddiard, Chair, closed the public hearing at 7:12 pm.

Kelly Liddiard indicated that he was contacted by a concerned resident who indicated that one of their chickens is very loud and needs to be fixed.

**THERE WAS NOT A VOTE DUE TO THE LACK OF A QUORUM.**

## PUD LOT FRONTAGE CODE AMENDMENT ACTION

This was a previously discussed agenda item at the last meeting, April 11, 2013. The amendment is proposing a change from 80 feet to 60 feet in the lot frontage for cul-de-sacs and elbow curves within the PUD overlay zone.

**THERE WAS NOT A VOTE DUE TO LACK OF QUORUM.**

## ELK RIDGE MEADOWS PHASES 5-10 CONCEPT

Mr. Dean Ingram presented a new concept to the planning commission. Mr. Ingram provided some background regarding the property, development agreement, sewer and more for the new planning commission member, Colin Logue. Mr. Ingram said that they were wondering if the city might want the property just north of the roundabout for a catch basin. One of the big changes was the open space. Instead of having a large park right off of Elk Ridge Drive, the park is placed within the community abutting local streets. There is about 50 feet of open space along the trail way on Elk Ridge Drive providing more space so there isn't just a wall all along Elk Ridge Drive. Elk Ridge Drive was moved a little to accommodate more open space along the street, which will be landscaped with berms and trees. There is also open space located south of the school property.

Kelly Liddiard thought it was a good layout.

Mr. Dean Ingram was concerned with the pedestrian traffic on the roundabout because of the school. Roundabouts aren't always pedestrian friendly. They just aren't understood. He thought the planning commission and the city council should still look at the roundabout and see if there are other options or have the city pay for double crossing guards.

David Clark asked if the trail way tied into the existing trails in place.

Mr. Dean Ingram said they would connect in the future.

Mr. Kyle Houghton asked if the city really wanted the roundabout.

David Clark replied that the city wants the roundabout to deter people from speeding down Elk Ridge Drive.

Kelly Liddiard said they wanted a speed control device and also for the center of the city because the city offices will be right there.

Further discussion of the roundabout and the issues with crosswalks took place. Crosswalks will have to move down and be a distance away from the roundabout.

Shay Stark, city planner, was concerned with Cloward's driveway coming out onto the roundabout and the grades coming into the roundabout.

Mr. Dean Ingram replied that he had talked with the executor, Matt Stewart, regarding the Cloward's driveway and he indicated that the driveway will be moved over closer to the Cloward's house, which sits on two or three acres. Mr. Ingram thinks that will take place within the next year or two.

Shay Stark, city planner, asked if the open space within the development would be developed as park.

Mr. Ingram confirmed it would be a park with a playground.

67 Further discussion took place regarding trails and landscaping to prevent children from going out into the street easily and force them to  
68 go down to the crosswalk at the intersection. The trail/corridor between lots 35 and 36 on Silver Wolf Road were a concern because that  
69 is where children will hang out and get into trouble.  
70 Overall, the planning commission generally likes the new layout presented.  
71

72 **APPROVAL OF 3/5/13, 3/14/13, 4/11/13 PLANNING COMMISSION MEETING MINUTES**  
73

74 **THERE WAS NOT A VOTE DUE TO THE LACK OF A QUORUM.**  
75

76 **CITY COUNCIL UPDATE**

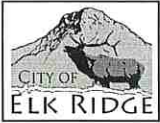
77 There was not a council member present for an update.  
78

79 **OTHER BUSINESS**

80 It was discussed changing the quorum number to three because of the lack of quorums in the past couple of months. Code, as well as,  
81 by-laws was going to be researched.  
82

83 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting 7:45 p.m.  
84

85   
86 Planning Commission Coordinator  
87



## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF SPECIAL MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Tuesday, 21 May 2013**
- Meeting Time - **Commission Meeting - 8:30 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

**8:30 pm PLANNING COMMISSION BUSINESS – Mayor Shelley**

**9:15 pm ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 17 May 2013 and delivered to each member of the Planning Commission on 17 May 2013.

Planning Commission Coordinator: Marissa Bassin Date: 17 May 2013



1

2

3

# ELK RIDGE PLANNING COMMISSION

May 21, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, May 9, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, David Clark, Colin Logue, Jed Pfaff (*Tardy*)  
*Absent:* Clint Ashmead, Sharon Dahlstrom, Debbie Cloward, Kevin Hansbrow  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Mayor Hal Shelley

## OPENING ITEMS

Mayor Shelley, Chair, welcomed at 8:30 PM.

## PLANNING COMMISSION BUSINESS

Mayor Shelley indicated Debbie Cloward resigned as a full time planning commission member as of May 21, 2013. Colin Logue, alternate, will move up to be a full-time planning commission member creating a need for an alternate planning commission member.

Mayor Shelley reiterated the important roll of the planning commission and encouraged members to re-evaluate their life and be committed to attend the planning commission meetings.

The number of members needed for a planning commission was discussed and the code was going to be researched to find whether a certain number for a majority was specified. *[Marissa Bassir, planning assistant, researched and there is not a certain number needed. It is up to the discretion of each municipality]*

Training for land use was discussed and the importance of attending at least one training. It was discussed to get a land use training handbook for each planning commission member when the 2013 edition was released.

Mayor Shelley asked if there was more the planning commission could do with the general plan. The possibility of doing some surveys among the residents was discussed.

Mayor Shelley asked the planning commission to look at some commercial benefit for the city – possibly rezone some more commercial areas in the city.

Weston Youd suggested getting some tablets for use by the planning commission. If the planning commission member serves at least five years, they could keep the tablet.

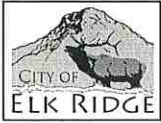
**ADJOURNMENT** – Chair, Mayor Shelley, adjourned the meeting 9:30 p.m.

  
Planning Commission Coordinator

1

2

3



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 13 June 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION MEETING AGENDA**

**CANCELLED**

**CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 6 June 2013 and delivered to each member of the Planning Commission on 6 June 2013.

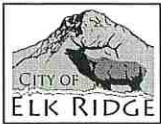
Planning Commission Coordinator: Maissa Bassi Date: 6 June 2013

1

2

3





## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 27 June 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **7:05 PUBLIC HEARINGS AND ACTION**

1. Hazen Conditional Use Permit (Chickens)..... *see attachment*
2. Oak Bluff Estates Plat J Amendment (Glen Gabler) ..... *see attachment*
3. Elk Ridge Meadows Phase 5-10 (Dean Ingram)..... *see attachment*

#### **7:45 OTHER ACTION ITEMS**

4. K Shuler Lot Line Adjustment (Karl Shuler) ..... *see attachment*
5. PUD Lot Frontage Code Amendment ..... *see attachment*
6. Christensen Conditional Use Permit (Chickens)..... *see attachment*

#### **DEVELOPMENT CODE / STANDARDS REVIEW**

7. Dwelling Sizes Requirements for Residential Zones, City Code 10-12-41

#### **8:15 PLANNING COMMISSION BUSINESS**

8. Review & approve minutes of 3/5/13, 3/14/13, 4/11/13, 5/9/13, 5/21/13 meetings ..... *see attachments*
9. City Council Update
10. *Other Business*

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 21 June 2013 and delivered to each member of the Planning Commission on 21 June 2013.

Planning Commission Coordinator: *Marissa Bassin* Date: 21 June 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION

June 27, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, June 27, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, David Clark, Colin Logue, Clint Ashmead, Jed Pfaff, Kevin Hansbrow, Cory Thompson

*Absent:* None

*Others:* Shay Stark, *Aqua Planner*

Marissa Bassir, *Planning Commission Coordinator*

*Public:* Dean Ingram, Thomas Hazen, Jason Robinson, Brian Gabler, Glen Gabler, Glen Gabler II, Karl Shuler, Sharon Shuler, Andy Costin, Edward & Elizabeth Arrington, Jeff & Janae Bell, Randy & Debbie Cloward, Rick Cloward, Alan Knuteson, Malerie Simonsen

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kelly Liddiard, Chair, reviewed the agenda and there were not any changes.

## HAZEN CONDITIONAL USE PERMIT PUBLIC HEARING - CHICKENS

Kelly Liddiard, Chair, opened the public hearing at 7:07 pm.

There was not any public comment.

Kelly Liddiard, Chair, closed the public hearing at 7:09 pm.

Kevin Hansbrow, co-chair questioned whether the measurements from the coop to the fence or the neighboring structure. On the map it looked like the coop was closer to the Loflin's home.

Thomas Hazen, *applicant* indicated the enforcement officer came out and checked out the distances from the coop to each neighbor and it meets the criteria.

**KEVIN HANSBROW MOTIONED AND CLINT ASHMEAD SECONDED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE HAZEN'S CHICKENS. VOTE: YES – ALL (7), NO – NONE, ABSENT – NONE.**

## OAK BLUFF ESTATES PLAT J AMENDMENT (GLEN GABLER)

Shay Stark, *City Planner* provided a background of the project, which is located up on west Salem Hills Drive. It affects the lots located at 116 West, 146 West and 162 West. The middle lot (146) has two small parcels located to each side and a small triangle parcel in the back. 146 West is not wide enough to build a home on the way it is configured. In combining the small parcels with the lot, it cleans it up and then the lot will have enough frontage to build a home on. All the parcels are owned by Mr. Gabler.

Kelly Liddiard, Chair, opened the public hearing at 7:10 pm.

Commissioner Clint Ashmead questioned the boundaries of the surrounding properties and why they weren't included in the lots in the first place.

Brian Gabler, *LEI* answered that there were two different plats – one that came from one side and one came from the other side and there was a gap between them. So when the parcels were platted, the two plats never came together so there ended up being a sliver not platted in between the lots. They wanted to clean it up to get rid of all the small parcels.

Kelly Liddiard, Chair, closed the public hearing at 7:14 pm.

Commissioner Cory Thompson questioned that lot 2 as is, is not conforming to build a home on it. The plat amendment makes it so a home can be built. Mr. Thompson's question was confirmed.

**CLINT ASHMEAD MOTIONED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE OAK BLUFF ESTATES SUBDIVISION AMENDED PLAT J AS PROPOSED. VOTE – YES – ALL (7), NO – NONE, ABSENT – NONE.**

## ELK RIDGE MEADOWS PHASES 5-10 (DEAN INGRAM)

Shay Stark, *City Planner* indicated the parcel is located on the corner of Goosenest Drive and Elk Ridge Drive. It is part of the original Elk Ridge Meadows PUD subdivision, which phases 1 and 2 were developed to the northeast and there is a lot of history on the project. It has been worked on since 2005. It is zoned R-1-12,000 with a PUD Overlay, which means there is a requirement for open space. The overall requirement for open space is 6.82 acres. The density is currently 2.6 on the project. Density allowed is actually 3.63, but in order to get the infrastructure in and keep lot sizes per code, the density has dropped a little. The project will re-route Elk Ridge Drive so it will tie directly into Park Drive. It will be an entry corridor into the community. There will be a trail and landscaping along side. Nebo School District has purchased 13 acres of the previous phase 3 so the other side of Elk Ridge Drive will be open with the open grass from the school fields. There will be a local park within the subdivision that counts toward the open space. The residents will not have to cross Elk Ridge Drive to go to a park.

69 Kelly Liddiard, Chair, opened the public hearing at 7:20 pm

70 Public, Malerie Simonsen asked who was going to be over the open space. Would it be the developer or the city?

71 Kelly Liddiard, PC Chair replied that in the end it would be turned over to the city.

72 Public, Jeff Bell voiced a concern regarding the traffic in front of his home. He is located at intersection where the new Elk Ridge Drive will go south east and the "private drive".

74 Shay Stark, City Planner replied that that the current Elk Ridge Drive will be closed off to be a private drive, which will be called Golden Eagle Way. Mr. Stark indicated it is currently a county road and it will have to be turned over to the city in order for the plan to be followed. Mr. Stark told Mr. Bell that there wouldn't be any traffic in front of his home.

77 Public, Janae Bell was concerned about their water well. She was concerned about the development using all the water.

78 Public, Jeff Bell questioned where the water was going to coming from. What water well?

79 Kelly Liddiard indicated that the subdivision would have to purchase separate water rights.

80 Dean Ingram, Developer explained that the new well was purchased by Elk Ridge Meadows so they will use that water.

81 Public, Jeff Bell asked about the well east of their home on Elk Ridge Drive, which is a 12-inch well?

82 Shay Stark, City Planner indicated that their water well would not be affected. The development would be served with the water from the new water tank above the golf course.

84 Kelly Liddiard, Chair said the city is no putting in another well that would draw from their well. A well cannot be drilled without the water rights. There will not be a new well for the development. Mr. Ingram has to bring a water line all the way down to his development.

87 Public, Jeff Bell asked if their well dried up, where would they acquire water?

88 Kelly Liddiard, Chair replied they would have to tie into the city's water. Being in the county, the Bell's would need to either annex into the city and/or purchase the water rights to get water.

90 Shay Stark, city planner indicated that there would be a water line right in front of their property.

91 Public, Randy Cloward asked if there are enough water shares and water available for the subdivision. There are so many homes that are impacted.

93 Kelly Liddiard, Chair replied that the developer will have to purchase the water rights. The developer cannot develop until those water rights have been purchased. That is part of the development process.

95 Shay Stark, City Planner explained back in 2005 when phases 1 was started and the whole area was annexed into the city, Mr.

96 Ingram's subdivision is part of that same development. There were 122 acres involved and at that point, the city and the developer looked at the water situation and it was discussed what needed to happen in order to supply water for all the 122 acres. So the city said they would need the well and storage tank, which was put in a few years ago. A portion of the tank was built and developed to serve Elk Ridge Meadows.

100 Public, Randy Cloward indicated that there is 16 acres next to the park. At some point, that is going to be developed. There is also Cloward Estates Plat A and B. When it comes to that point, he just wants to make sure that there will be water available.

102 Kelly Liddiard, Chair said if Mr. Cloward has water shares, then the water will be provided.

103 Dean Ingram, Developer explained that all the water was done and paid for in the beginning of the PUD, even a portion of the tank was paid for. Mr. Ingram is just taking over the project and the water was already done.

105 Kevin Hansbrow commented that whether or not the new tank would service the Cowards' projects they did not know. If there is a need for more storage tanks in the future, then it will be looked at then. The PUD developers have already had to deal with the water to support the residents within Elk Ridge Meadows.

108 Kelly Liddiard, Chair asked if Mr. Cloward's water shares were well rights or water shares. Mr. Cloward replied they were water shares. Mr. Liddiard then asked what the water shares are attached to. Strawberry Water.

110 Public, Randy Cloward indicated that they purchased the water back in 1977-78. They have been sitting on it waiting for the community to develop. They want to make sure that when it comes time for them to start developing and building that there will be enough for them. Apparently, Mr. Cloward has been talking to Tony Trane and he has told him that he needs to make sure with the city that there is enough.

114 Kelly Liddiard, Chair commented that if they have the shares, then the water is there for them.

115 Public, Jeff Bell asked what kind of style of homes will be built in Elk Ridge Meadows. Mr. Bell also asked what the basic size of a home would be.

117 Public, Randy Cloward replied that he would be doing the same style as the homes that he has built in Payson. The size of the home depends on the code. The current dwelling size is 1400 square feet. There would be a two car garage.

119 Further discussion with and among the public took place regarding the size of homes and lots selling in the current market. Mr. Ingram explained that he came into the project and if he could, he would start over without a developer agreement and do a regular subdivision. The style Mr. Ingram is looking at is something like a craftsman or timber.

122 Public, Malerie Simonsen asked if the CC & R's would be the same as the other phases.

123 Developer, Dean Ingram indicated that they haven't even gotten to the CC & R's yet. He did not know.

124 Public, Randy Cloward asked Mr. Liddiard to educate the public on the roundabout.

125 Kelly Liddiard, Chair replied that the roundabout is going in. There is not a vote. The problem is that the roundabout is probably going to go a little to the southwest. The current drawing is where it is supposed to be.

127 Shay Stark, City Planner commented that it is recommended that the roundabout needs to be a little larger for the traffic flow.

128 Public, Randy Cloward asked what the city foresees will happen with the Cloward Driveway on Goosenest Drive.

129 Kelly Liddiard, Chair said the last he had heard was that Mr. Ingram was going to talk to the Cloward Family about relocating the driveway further to the east. The city doesn't want the driveway coming out into the roundabout.

131 Developer, Dean Ingram replied that he has expressed interest in their property, but hasn't determined with the Clowards that it will be relocated just yet. He is working on it.

133 Public, Elizabeth Arrington asked where Elk Ridge and the county boundaries were. The street name will be different.



Shay Stark, *City Planner* indicated that the county will be turning over the existing Elk Ridge Drive from about 11200 up to Goosenest Drive over to the city. The county has wanted to turn it over to the city for a long time because it is a pain for them to plow it in the winter because it is like a dead end to them. The road will still remain to Goosenest, but it is no longer a part of the main entrance into the city. The traffic in front of Ms. Arrington's home will decrease.

*Public* asked what was going to happen with the triangle piece of property at the intersection of Elk Ridge Drive and the private Drive.

Kelly Liddiard, *Chair* indicated that there would be a monument going in there. There was also discussion on the detention basin being placed there.

Kelly Liddiard, *Chair* closed the public hearing at 7:44 PM.

Kevin Hansbrow, *co-chair* asked Mr. Ingram about the open space by the school.

Discussion took place regarding the open space and density. The new plat submitted was more favorable with the planning commission as far as open space and the distance from the main road. The landscaping among the trail will be nice with berms and trees.

Kevin Hansbrow, *co-chair* asked if the landscaping would be rock or grass because mowing the grass looks like it would be difficult.

*Developer, Dean Ingram* indicated the landscape plan is showing grass, but he doesn't care what is there. There is grass and bark.

Mr. Ingram described why the roads changed. Also the crossings changed for safety reasons. There is a sidewalk on the school side of Elk Ridge Drive. The trail on the other side meanders within a 50-foot open space to keep it from the traffic. The crosswalks are still to be determined – Matt Brown and Shay Stark are to get together to determine the placements.

Kevin Hansbrow, *co-chair* commented that there should be a speed hump on Elk Ridge Drive and Pine Tree Cove for traffic calming.

Shay Stark, *City Planner* indicated that is not a good idea there because of the steep slope.

Colin Logue, *PC* thought that there would be a school zone and the traffic would have to slow. That is not the case because the front of the school will be located on Cotton Tail Lane.

*Developer, Dean Ingram* indicated that each phase will have a portion of the Elk Ridge Drive completed, but the entire Elk Ridge Drive will not connect until phase 8.

Shay Stark, *City Planner* indicated that the current Elk Ridge Drive will not be cut off and re-routed until the new Elk Ridge Drive is completed and running. They do not want traffic detouring through the neighborhoods and going back onto the current Elk Ridge Drive.

*Public* asked Mr. Ingram when the new Elk Ridge Drive would be finished.

*Developer, Dean Ingram* indicated he thought it would be about a three year project. Phase 5 will begin in the fall of 2013. Phase 6 will begin in the spring of 2014. Phase 7 will be in the fall of 2014 and phase 8 will begin fall 2014 or spring of 2015.

Colin Logue, *PC* asked if the school district had given Mr. Ingram any time period saying once Mr. Ingram finish a certain phase then they will be begin building the school.

*Developer, Dean Ingram* replied that the school district will go off of the population. What they have seen, the school district thinks they may have to build in about five years. Mr. Ingram thinks it could be a little quicker than that. Mr. Ingram is doing a subdivision just below in Salem and he thinks that will also have an impact. That subdivision is a little further behind in the subdivision process. He has to take a water line a little further.

Colin Logue, *PC* said they had talked about the open space, but he wondered about the open space next to the school property.

*Developer, Dean Ingram* indicated that the school district wanted to purchase that property so he left them undeveloped. Going down Elk Ridge Drive and having that open space on the one side makes it nice and open.

Clint Ashmead, *PC* asked if Elk Ridge Drive will be any wider than the current Elk Ridge Drive.

*Developer, Dean Ingram* explained that it will be wider – 108 feet. It is wide enough for lanes and a center lane.

Further discussion took place regarding the widening of 11200 and a wall along Salem's side.

Kelly Liddiard, *Chair* asked Mr. Ingram if he had a drainage plan in place because of the recent problems the city has seen with the Elk Ridge Meadows phase 2 cuts and the potential drainage problem that could occur.

*Developer, Dean Ingram* indicated that it is typical to have a drainage plan on every lot because the developer will be liable for anything that happens. There should be a requirement for a drainage plan at building permit.

David Clark, *PC* said Salisbury is having the residents sign a document that the resident accepts responsibility for the retaining wall.

Kelly Liddiard, *Chair* said he wants to make sure nothing like that happens again. They want to protect the people.

Shay Stark, *City Planner* mentioned to Mr. Ingram at the last TRC to take a look at the home plans and make sure they fit each lot on his plat. The problem with the particular lot with Salisbury is that they were trying to force a particular home onto the lot that really doesn't fit. They are now going to have to build a retaining wall, but if the builder would have done a different floor plan, it would have fit better and there wouldn't be a huge need for a retaining wall.

*Public, Randy Cloward* was very concerned about having enough water because they have given the city land and helped put in water pumps for the city. He would like a guarantee that the water will be available when they want it.

Kelly Liddiard, *Chair* explained that if they have water rights with the city, the water will be available, although, at the time he comes in, there may be a need to put into place another water tank like Elk Ridge Meadows had to.

David Clark, *PC* indicated that there is the 5 million dollar incentive to do the pressurized irrigation and he is inclined to think that when that is in place, it will reduce the demand on the culinary water. If there is pressurized gray water coming in, then there isn't so much waste happening for what is really needed.

*Public, Randy Cloward* commented that doing some xeriscaping and not using as much water for landscaping might be a good route to entertain.

Shay Stark *City Planner* explained that the city is requiring the pressurized irrigation to be put into the new subdivisions. At the last city council meeting there was talk about starting the project. The city is trying to be proactive to put that system into place so there isn't a problem with the culinary water.



David Clark, *PC* indicated that there is five million dollars available to install the PI water system and the city wanted to wait until they knew how Woodland Hills and Payson was going to proceed. It is supposed to be a joint effort. Mr. Clark would like to see it now, but he thinks it is about five or more years down the road.

Clint Ashmead, *PC* commented that regarding the parks and landscaping, he would like the xeriscape concept. If the city has to maintain the property, then it is the city's responsibility to guide them to landscape it appropriately. Mr. Ashmead asked when a subdivision is in the process, doesn't the developer actually have to purchase more water rights than is actually needed to support the lots.

Dean Ingram, *Developer* didn't know how the equation works, but there is a safe guard. Once there is irrigation, there will be an abundance of water available because the ration is about 2:1 when watering the yard.

Shay Stark, *City Planner* explained the term and conditions below that need to be amended and/or reinstated in the Annexation Development Agreement.

1. The developer shall complete construction of Sky Hawk Way and necessary utilities along the proposed lots and the distance adjacent the school parcel.
2. The developer shall be allowed to phase the development in a maximum of six phases with the completion of Elk Ridge Drive and the associated roundabout and will be completed no later than four phases into the project.
3. The city shall acquire the current Elk Ridge Drive right of way and vacate the remaining width beyond the 56 feet to land owners on each side of the right-of-way.
4. The city shall allow the developer to plat and construct parcels with 60-foot minimum frontage on bulbs in cul-de-sacs and elbow curves, which is consistent with previous phases of the Elk Ridge Meadows Subdivision and current code.
5. Allow two additional preliminary plan extensions beyond those listed in 10-15A-3b. This allows the preliminary plan to remain valid for a period of no more than four years from the date of council approval. The owner will file an extension each year. The developer will have to show completion of at least one of the phases during the previous year to show continuing progress.

**KELLY LIDDIARD MOTIONED AND JED PFAFF SECONDED THAT THE ELK RIDGE MEADOWS PHASES 5-10 PRELIMINARY PLAT COMPLIES WITH THE ELK RIDGE CITY CODE AND GENERAL PLAN. IT IS RECOMMENDED THAT THE CITY COUNCIL GRANT APPROVAL OF THE PRELIMINARY PLAT FOR ELK RIDGE MEADOWS PHASES 5-10 WITH THE PROPOSED TERMS AND CONDITIONS OF ADDENDUM NUMBER 2 AND RESTATEMENT OF DEVELOPMENT AGREEMENT (AS STATED ABOVE). VOTE: YES – ALL (7), NO – NONE, ABSENT – NONE.**

#### **K. SHULER LOT LINE ADJUSTMENT**

Shay Stark, *City Planner* explained the two parcels located at 943 and 985 West Gooseneck Drive. There is a 33 foot wide segment of land that splits the two parcels. There is a house on lot one. The 33 foot segment was split in half and added to the two parcels. They also took the back portion of lot one and tied it to lot two. The lots comply with the development code and there are not any issues.

**KEVIN HANSBROW MOTIONED AND KELLY LIDDIARD SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF THE LOT LINE ADJUSTMENT FOR K. SHULER. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.**

#### **PUD LOT FRONTAGE CODE AMENDMENT**

Shay Stark, *City Planner* explained that currently the PUD overlay zone requires an 80-foot minimum lot frontage on all lots. All the other zones and previous renditions of the PUD overlay zone prior to 2010 when it was changed allow a 60-foot frontage inside a cul-de-sac and elbow curves. The setbacks will be met with the amended frontage requirement.

**KEVIN HANSBROW MOTIONED AND COLIN LOGUE SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL TO AMEND THE PUD LOT FRONTAGE WITH THE PROPOSED AMENDMENT. VOTE: YES – ALL (7), NO – NONE, ABSENT – NONE.**

#### **CHRISTENSEN CONDITIONAL USE PERMIT FOR CHICKENS**

This was a previously discussed item and a public hearing was held for it on May 9, 2013. There was not any public comment in regard to the Christensen's housing six chickens for their personal use.

**KEVIN HANSBROW MOTIONED AND CLINT ASHMEAD SECONDED TO APPROVE THE CHRISTENSEN CONDITIONAL USE PERMIT FOR CHICKENS. VOTE: YES – ALL (7), NO – NONE, ABSENT – NONE.**

#### **DWELLING SIZE REQUIREMENTS FOR RESIDENTIAL ZONES, CITY CODE 10-12-41**

Shay Stark, *City Planner* explained that Mayor Shelley wanted to have the situation discussed among the planning commission. The city amended the dwelling sizes for the lots around January 2013. The self help housing had purchased several lots to build homes. Amending the dwelling sizes and increasing the size by a couple hundred feet, basically forced self help housing into a corner because they are dealing with a maximum size that they can build their homes and get funding.

Cory Thompson, *PC* indicated that their homes are based on a budget. They are not allowed to spend more than X amount. The new dwelling size exceeds the allowable structure of the house.

Shay Stark, *City Planner* explained that based on experience, the size is strictly 1200 square feet main floor living is the largest they can build.

Kelly Liddiard, Chair asked since that is an approved subdivision that it would be grandfathered in. Shay Stark, *City Planner* indicated that just because a subdivision is recorded, they still have to abide by the current city code when building. The dwelling size is regulated by the zoning. The CC&Rs have to be approved by the planning commission and the city council as part of the planning process. The CC&Rs would supersede the code if they have the dwelling size within them. The city will not grant a building permit unless the CC&Rs have been reviewed and approved by the architectural committee. The city attorney is currently looking at the issue and it is something to just be aware of until there is further notice. Further discussion took place. The problem is that self help also purchased some lots in the R-1-15,000 zone and the dwelling size changed to 1600 square feet and now they cannot build a home within their budget.

#### APPROVAL OF 3/5/13, 3/14/13, 4/11/13, 5/9/13, 5/21/13 PLANNING COMMISSION MEETING MINUTES

There were not any corrections made to any of the meeting minutes presented.

KELLY LIDDARD MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF MARCH 5, 2013 AS WRITTEN. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.

KEVIN HANSBROW MOTIONED AND KELLY LIDDARD SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF MARCH 14, 2013 AS STATED. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.

KELLY LIDDARD MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF APRIL 11, 2013 AS WRITTEN. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.

KEVIN HANSBROW MOTIONED AND DAVID CLARK SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF MAY 9, 2013 AS WRITTEN AND STATED. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.

KELLY LIDDARD MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF MAY 21, 2013 AS WRITTEN. VOTE: YES-ALL (7), NO-NONE, ABSENT-NONE.

#### CITY COUNCIL UPDATE

There was not a council member present for an update.

ADJOURNMENT – Chair, Kelly Liddiard, adjourned the meeting 8:50 p.m.

  
Planning Commission Coordinator

]

]

]



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

**NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 11 July 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

**COMMISSION MEETING AGENDA**

**CANCELLED**

**CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 3 July 2013 and delivered to each member of the Planning Commission on 3 July 2013.

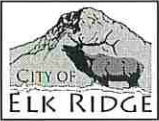
Planning Commission Coordinator: *Mawissa Bassin* Date: 3 July 2013

1

2

3





## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF CANCELLATION - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 8 August 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

CANCELLED

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 1 August 2013 and delivered to each member of the Planning Commission on 1 August 2013.

Planning Commission Coordinator: Marissa Bassin Date: 1 August 2013

1

2

3



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## **NOTICE OF SPECIAL PUBLIC MEETING - PLANNING COMMISSION **AMENDED****

Notice is hereby given that the Elk Ridge Planning Commission will hold a special planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 29 August 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **7:05 PUBLIC HEARINGS AND ACTION**

1. Morrell Conditional Use Permit (Chickens) ..... *see attachment*
2. W Miller Plat A Preliminary/Final Plat (Kyle Houghton)..... *see attachment*

#### **7:25 GENERAL PLAN**

3. East Salem Hills Drive Road Reclassification Discussion

#### **7:35 OTHER ACTION ITEMS**

4. Elk Ridge Meadows Phase 5 Final Plat (Dean Ingram) ..... *see attachment*

#### **DEVELOPMENT CODE / STANDARDS REVIEW**

5. Elk Ridge Meadows Ph 5-10 Landscaping of Park and Open Space Discussion
6. Elk Ridge Meadows Monument and Roundabout Design Discussion

#### **8:10 PLANNING COMMISSION BUSINESS**

7. Review & approve minutes of 6/27/13 meeting..... *see attachment*
8. City Council Update
9. Other Business

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 23 August 2013 and delivered to each member of the Planning Commission on 26 August 2013.

Planning Commission Coordinator: *Maissa Bassi* Date: 26 August 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION

August 29, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, August 29, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* David Clark, Colin Logue, Clint Ashmead, Kevin Hansbrow, Andy Costin

*Absent:* Kelly Liddiard, Cory Thompson

*Others:* Shay Stark, *Aqua Planner*

Marissa Bassir, *Planning Commission Coordinator*

*Public:* Tracey Snyder, Ryan Haskell, Stan Houghton, Carol and Nathaniel Morrell, Cindi Ellis, Desiree Shallenberger, Chris Salisbury

## OPENING ITEMS

Kevin Hansbrow, Co-Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

Kevin Hansbrow, Co-Chair, reviewed the agenda.

**KEVIN HANSBROW MOTIONED AND COLIN LOGUE SECONDED TO MAKE AN AMENDMENT TO THE AGENDA STRIKING THE GENERAL PLAN #3 EAST SALEM HILLS DRIVE ROAD RECLASSIFICATION DISCUSSION AND LEAVE ALL THE OTHER ITEMS AS WRITTEN. VOTE: YES – ALL (5), NO – NONE, ABSENT (2) – KELLY LIDDIARD, CORY THOMPSON**

## MORRELL CONDITIONAL USE PERMIT PUBLIC HEARING - CHICKENS

Marissa Bassir, PC Assistant indicated the staff report indicates that the application for the conditional use is complete and meets the requirements per code. The code enforcement officer has visited the property and has verified compliance.

Kevin Hansbrow, Co-Chair, opened the public hearing at 7:05 pm.

There was not any public comment.

Kevin Hansbrow, Co-Chair, closed the public hearing at 7:09 pm.

**COLIN LOGUE MOTIONED AND KEVIN HANSBROW SECONDED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE MORRELL'S CHICKENS. VOTE: YES – ALL (5), NO – NONE, ABSENT (2) – KELLY LIDDIARD, CORY THOMPSON**

## W. MILLER PLAT A PRELIMINARY AND FINAL PLAT (KYLE HOUGHTON)

Shay Stark, City Planner provided a background of the project, which is located at 452 South Hillside Drive within the HR-1 zone. It was the first time the planning commission has heard the proposed plat. The lot was originally a larger lot that was then illegally split. As the lot is currently, it is not buildable because it is an illegal lot so they are going through the subdivision process and doing preliminary and final approval at one time because it is just one lot. There are a lot of additional things that need to be considered including the buildable areas and other environmental issues because the lot is located in the Hillside Residential zone. Mr. Stark indicated everything checked out with the lot. There are some steep slopes on the lot, but the building envelope is not in those slopes. Mr Stark showed the slope analysis where there are non-buildable areas. The Hillside Residential Zone requires a 50-foot setback, however, there is an exception written in the code that indicates the planning commission can make an exception no less than a 20-foot setback if the site justifies it. The developer, Kyle Houghton, is requesting a 30-foot setback rather than a 20-foot setback.

Stan Houghton (*speaking for Kyle Houghton who couldn't be in attendance*) explained that Mr. Kyle Houghton is trying to figure out how to tweak it so the home can fit without being on a slope. Mr. Houghton said that Mr. Kyle Houghton might still need the 20-foot setback and is looking for some input.

Shay Stark, City Planner said that the reason Mr. Houghton was requesting 30 feet for the setback was also because of the natural drainage that runs through the lot and it is at the front of the property closest to the street. The city ordinance will not allow anything to be developed within 30-feet of the center line of the natural drainage. The drainage controls that setback and can't be changed. He can move the drainage a little and be within a foot or two of the setback. The back is steep and the front has drainage so it is quite limited. The geological tech report came out really well.

Kevin Hansbrow, Co-Chair, asked what the other properties in the area have done with the setbacks.

Shay Stark, City Planner replied that there are not any other properties in the area that have developed with the same circumstances.

Across the street everything is generally flat or at least there aren't any 30% slopes. It is the first lot and house to go in on that side of the street.

Kevin Hansbrow, Co-Chair, opened the public hearing at 7:10 pm.

Public, Cindi Ellis commented that she wanted to make sure the drainage issue was addressed because there has already been flooding issues with the Brockbank's home being on the corner of Hillside and Salem Hills Drive.

Shay Stark, City Planner explained that there really isn't anything that can be done with the lot to resolve the drainage issue down there. He is not creating anything that is going to make the drainage worse.

Public, Cindi Ellis was glad to hear about the setbacks so none of the drainage will be blocked or re-routed a different way.



Shay Stark, *City Planner* told Ms. Ellis that the developer is required to protect the drainage flow. The developer has options to put in a culvert and have the drainage go through the culvert.

Colin Logue, PC asked if there might be a problem if the home has a basement.

Stan Houghton said that there will need to be the proper slope requirements.

Shay Stark, *City Planner* said that in looking at the drop off on the site with the contours right through the house, there is a potential 10-feet of drop. With that in mind, the bottom of the house is roughly six feet above the street, the drainage is a little below that. Any water from above should be averted with re-routing and of drainage and retaining walls. The city would look at the drainage at the time of building permit, as well. By law, if there is water running on the site, then it has to be allowed to flow through.

Public, Tracey Snyder asked if the development of the lot will diminish the development of surrounding lots. Ms. Snyder owns the parcel on the corner just north of Mr. Houghton.

Shay Stark, *City Planner* replied that it wouldn't diminish any lot. The drainage will not stop anyone else from developing.

Public, Desiree Shallenberger questioned about the subdivision being just one lot and the other question was for the drainage that was previously discussed.

David Clark, PC asked if there was a requirement for the city to create a drainage plan for the entire area.

Kevin Hansbrow, Co-Chair, said that the city doesn't have to have a plan for the area. They have a general plan. The developer just has to divert the water that comes on their property.

Shay Stark, *City Planner* indicated that if it was a larger subdivision, then the developer would be required to submit a drainage plan and put in retention basins and other things like that.

Kevin Hansbrow Co-Chair, closed the public hearing at 7:24 pm.

**CLINT ASHMEAD MOTIONED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL OF W. MILLER PLAT A PRELIMINARY AND FINAL PLAT TO THE CITY COUNCIL AS PROPOSED WITH THE 30-FOOT SETBACK EXCEPTION. VOTE – YES – ALL (5), NO – NONE, ABSENT (2) – KELLY LIDDIARD, CORY THOMPSON.**

#### **ELK RIDGE MEADOWS PHASE 5 FINAL PLAT (DEAN INGRAM)**

Shay Stark, *City Planner* indicated there are a couple of outstanding issues. Mr. Stark asked Marissa Bassir, planning commission coordinator, where Mr. Ingram was at with the water rights. Ms. Bassir didn't know of the developer moving forward with any water rights just yet. Therefore, the final plat cannot be voted upon due to the lack of water rights being purchased and deeded to the city.

Mr. Ryan Haskell (speaking for Mr. Dean Ingram who was not in attendance) indicated that he has the water lined up and he thought by the time everything was ready to go that it would be fully transferred to the city.

Shay Stark, *City Planner* responded that the planning commission cannot approve it without the water rights in place.

David Clark, PC indicated that the water was a big issue at the public hearing for this plat. There were people that were specifically at the meeting concerned about the water.

Shay Stark, *City Planner* provided a background for what had happened since that meeting. Mr. Ingram had water rights lined up outside of the city and was going to transfer them into the city. The people from the previous public hearing had protested those water rights. So Mr. Ingram is waiting on the state for that portion of the process. The city was trying to work it out so that Mr. Ingram could purchase water rights from the city for the first phase to get him started. Once he brings the transferred water rights in, he wants to be able to trade those rights out for the first phase. Mr. Stark provided additional information on how water rights are transferred from one city to another city. Mr. Ingram also didn't provide a cost estimate for the bonding yet. He will need to provide the estimate before the final plat is approved.

**ELK RIDGE MEADOWS PHASE 5 FINAL PLAT WAS TABLED UNTIL ALL REQUIREMENTS ARE COMPLETED.**

#### **ELK RIDGE MEADOWS 5-10 LANDSCAPING OF PARK AND OPEN SPACE DISCUSSION**

Shay Stark, *City Planner* explained that the preliminary plans have been approved for phases 5-10, but the city attorney wants to have specifics for the park and open space landscaping in place for the development agreement. The reason being is when its a couple years down the road, there isn't any questions on what should be done. In looking at the landscaping design, the park is small (1.3 acres).

There isn't anything in the PUD ordinance that states what should be done. The park doesn't have to have ball fields or any of the major amenities. The slope is too steep for a soccer field.

David Clark, PC was concerned about the grading and how it is landscaped because with the drainage moving downhill, it could wash away some of the landscaping.

Shay Stark, *City Planner* suggested meandering the walk way so the water isn't going straight and washing things out. Along Elk Ridge Drive there is curb and gutter along Elk Ridge Drive. The walk way is set back a bit in the park strip. On Silver Wolf, there cannot be the 10 percent drop off on the street. That will have to be re-graded.

Clint Ashmead, PC commented that if there is a grass area, it should be a good grass area – not hydro-seed thrown in over weeds and rock. The walkway should be more of non-vegetative plants that would help with mowing and water conservation.

Shay Stark, *City Planner* clarified that maybe there should be a little xeriscaping around the edges and along the paths. Or in places in the park that can't necessarily be used as an activity area. From a city maintenance perspective, if the city doesn't stay on top of the weeding with xeriscaping, it will just turn into a weed patch. It is a lot easier and quicker to mow grass than to pull weeds.

Kevin Hansbrow, Co-chair said that there should be some kind of weed barrier required since the city is going to take over the park. The PUD also required that there be tree lined streets. [2 trees per lot] As the entrance to Elk Ridge, the street should look nice and not have big weed patches. So a good weed barrier is recommended.

Shay Stark, *City Planner* said that there is supposed to be some xeriscaping intermixed with the trees, bushes and grass along Elk Ridge Drive. Mr. Ingram needs to create a proposal and put it in front of the planning commission.

The planning commission also discussed putting in a pavilion with a picnic table and possibly a BBQ area – make it family-friendly.

**ELK RIDGE MEADOWS MONUMENT AND ROUNDABOUT DESIGN DISCUSSION**

Shay Stark, *City Planner* displayed a roundabout in West Valley that fits the general features that should be in a roundabout. There are bicycle lanes and when it comes to the roundabout, the bicycle lane is pulled onto the sidewalk, which is wider; and shares the sidewalk with pedestrians. The curb and gutter is brought in narrower so it causes people to slow down. The roundabout for Elk Ridge is going to be larger than what was originally placed on the plat map. The displayed roundabout is perfectly symmetrical all the way around and the Elk Ridge one won't be because of the different angles coming into the roundabout.

Clint Ashmead, PC asked if there were any other roundabouts that are odd-shaped like the proposed roundabout.

Shay Stark, *City Planner* said the traffic engineer pointed Mr. Stark to the displayed roundabout because the standards for roundabouts have changed. Most of the roundabouts in Utah County were put in before a lot of the standards were put into place.

Shay Stark, *City Planner* indicated that the ideas that he received when polling the planning commission was there was to be a "Welcome to Elk Ridge" sign with some kind of metal work and the other idea was to have some kind of a statue, such as an Elk. There is a huge difference in cost.

Kevin Hansbrow, co-chair, thought it should be a "welcome to Elk Ridge" sign with Elk on the sign located at the entrance of Elk Ridge Meadows. A statue would be ruined by people and graffiti and is too expensive.

**APPROVAL OF 6/27/13 PLANNING COMMISSION MEETING MINUTES**

There were not any corrections made to the meeting minutes presented.

**COLIN LOGUE MOTIONED AND ANDY ASTIN SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF JUNE 27, 2013 AS WRITTEN. VOTE: YES-ALL (5), NO-NONE, ABSENT (2) KELLY LIDDIARD, CORY THOMPSON.**

**CITY COUNCIL UPDATE**

There was not a council member present for an update.

**OTHER BUSINESS**

A public hearing is scheduled for September 12, 2013 for the Horizon View Farms Preliminary Plat.

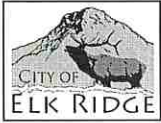
**ADJOURNMENT** – Chair, Kevin Hansbrow, adjourned the meeting at 8:10 p.m.

  
Planning Commission Coordinator

1

2

3



**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## NOTICE OF PUBLIC MEETING - PLANNING COMMISSION

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 12 September 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

## COMMISSION MEETING AGENDA

### 7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

### 7:05 PUBLIC HEARINGS AND ACTION

1. Horizon View Farms Preliminary Plat (Salisbury) ..... *see attachment*

### 7:30 OTHER ACTION ITEMS

2. Elk Ridge Meadows Phase 5 Final Plat (Dean Ingram)..... *see attachment*

### DEVELOPMENT CODE / STANDARDS REVIEW (none)

### 7:45 PLANNING COMMISSION BUSINESS

6. Review & approve minutes of 8/29/13 meeting..... *see attachment*
7. City Council Update
8. Other Business

### ADJOURNMENT

## CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 6 September 2013 and delivered to each member of the Planning Commission on 6 September 2013.

Planning Commission Coordinator: Maissa Bassin Date: 6 September 2013

1

2

3



# ELK RIDGE PLANNING COMMISSION

September 12, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, September 12, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Colin Logue, Clint Ashmead, Andy Costin, Kelly Liddiard, Cory Thompson (*Tardy*)

*Absent:* David Clark, Kevin Hansbrow

*Others:* Shay Stark, *Aqua Planner*

Marissa Bassir, *Planning Commission Coordinator*

Mayor Shelley, *City Council:* Weston Youd, Erin Clawson, Brian Burke

*Public:* Chris Salisbury, Dean Ingram, Rod Schramm, Mallory & Justin Meyer, Ellen & Gregg Anderson, C. Max & Karla White, Brandon Freeman, James Thomas, Terra Costin, Malorie Simonsen, Emilie Nielson, Kyle Nielson, Joe Nielson, Clint Mitchell, Ben Shell, Dallan Olson, Angelia Olson, Matt Simonsen, Kyle Hansen, Jon Anderson, Lucretia Thayne, Rachel Erickson, Tyce Erickson, Natalie Veach, Steve Veach, Trevor Andrus, Nick Ethier, Spencer Nelson, Brenton Lamb

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kelly Liddiard followed by the pledge of allegiance.

## APPROVAL OF AGENDA

No changes were made to the agenda.

## HORIZON VIEW FARMS PRELIMINARY PLAT PUBLIC HEARING

Kelly Liddiard, Chair, opened the public hearing at 7:05 pm.

Public, Malorie Simonsen stated that she had some concerns regarding the Horizon View Farms, but she wanted to first, ask a question. She knew it was zoned to R-12,000 with a PUD overlay. There was a survey done from the Elk Ridge Residents where 89 percent disapproved of the PUD and she would like to know why it was still considered.

Kelly Liddiard, Chair explained that he did not remember the specific survey. When a proposal comes through the process at the city, as long as the proposal meets city code and requirements are met, the city cannot deny a developer who wants to develop a piece of property. Mr. Liddiard further explained that the survey was part of the General Plan survey and it was not just how the city was developed, it was everything.

Shay Stark, City Planner explained that the Elk Ridge Meadows subdivision was annexed into the city in 2005 and as part of the annexation development agreement, the PUD overlay was put into that agreement. The general plan was put into place in 2010 and a public survey was done at that point. Since that property was zoned with the PUD overlay, there has not been any other property zoned as a PUD.

Public, Malorie Simonsen continued stating that she currently lives in a Salisbury home on Skyhawk Way so her house is at the top of a hill. Her neighbor's home behind her is supposed to be down lower, but is built up higher than her home. Now every time it rains, Ms. Simonsen's home gets flooded, which doesn't make sense. When she talked with the city, they said it doesn't make sense why it was built like that and to call Chris Salisbury. So she called Chris Salisbury to grade it because it isn't up to city code. Mr. Salisbury replied that he couldn't set precedence by fixing her yard and not others. Ms. Simonsen called her insurance company and asked if she gets flooded, who is responsible for it. She also talked to a civil engineering company and both responded that if the bonds were released by the city with the grading in that condition, then the city and Salisbury would be responsible. Ms. Simonsen said she talked to people in the neighborhood who indicated they were also having flooding issues. They displayed some homes that had been flooded. There was poor craftsmanship and it is not in compliance with city code. The city official came inspected some homes and he indicated that none of the homes in question should have been approved and passed. The official said there is a rubber stamp with the city and all of Salisbury homes are being passed. They have documented all of the things that are wrong with the homes.

Public, Angelia Olson displayed some homes that had flooded. One home had eight inches of standing water. Another home had a cut wall of dirt and Cloward's estates is above them. If there isn't a retaining wall, when the water saturates, the dirt could give way. It was understood by the home buyers that the retaining wall would be installed by Salisbury and they haven't done it. Some owners had to sign a document stating that the buyer was responsible for the retaining wall.

Public, Malorie Simonsen stated that Salisbury has not done what they said they were supposed to do and now the buyers are left with the headache. Before Salisbury starts a new subdivision, the current residents of phases 2 are asking the planning commission to table this item and make Salisbury fix the problems. Ms. Simonsen thinks it is not only affecting the residents, but also the city.

Public, Tara Costin indicated she is one of the adjacent property owners within 300 feet who received the notice for the subdivision. She asked if the city is going to accept the townhomes, if they could require Salisbury to upgrade the plans a little. It shows on the map on the west side adjoining the private property and on the north side along 11200 south there is fences planned, but on the entire east side where it abuts the open space there is not a fence in the plan. Where all of the homes from phase 2 are looking out over the townhomes, the residents do not want to be seeing into their "junky" backyards. Where it is not going to be their own private property, they are not going to be able to put up their own fences, so she is asking that Salisbury consider including a fence along the east side of the property as well. It will be for the townhome owner's privacy as well. They will not want their backyard to be wide open to everybody. In the middle of the subdivision, it shows a little bit of open space...she was wondering if there were plans for a play structure for their use. If not, could it be added to the plan to upgrade the current park structure in phase 2 because the current play structure already can't handle the number of children that there is in Elk Ridge Meadows. If there is going to be 74 townhomes,

there is going to be a lot more kids. The original play structure for phase 2 was in the original plans so it should be in the plans for the townhome subdivision. Another question was the exposed cement foundation. According to the plan, the townhomes will be two stories. When Salisbury started building in Elk Ridge Meadows, a lot of the homes had daylight basements where the siding or stucco covered the cement foundation so there is not exposed cement. But in the later homes, Salisbury stopped doing the covered foundation. [Pictures were shown]. Where there is going to be a whole row of houses, she asks that the non-exposed cement be added to the building plans. Ms. Costin thought there is current code that said only 18 inches of cement foundation showing on the front of the home. She would like to see only 18 inches all around the home so there isn't six feet of cement basements showing. According to the plan, the subdivision is going to have an HOA. Ms. Costin wanted to make sure that the planning commission put it into the agreement that Salisbury could not dissolve the HOA. If there is an HOA, then that is great because the yards will be maintained and keep things nice. But who is to say that three years down the road, they are not going to just suddenly dissolve the HOA. Then the neighborhood would go downhill and they don't want that.

Public, Angelia Olson indicated that she has taken time to go around the neighborhood with others and ask the neighbors how they were sold their homes by Salisbury. When the buyer asked Salisbury what was going to go into the west of phase 2, not one of them were told that it would be townhomes. She has a petition with signatures and what they said they were told...most of them were told that it would be open space, a park, walkways and other single family homes to the west. Eventually, there was a school in the plans. Over 90 percent of the neighbors surveyed said they were told that. Salisbury sold them the homes with the idea of the open space and the other homes. It is sad to see that the original plan that Salisbury submitted to the city had homes for the area, then they changed from the 74 town homes. Ms. Olson is asking that the planning commission hold Salisbury to what they sold their homes for. The people feel very deceived by Salisbury and that he offered the buyers the beautiful lots with the thought that everything west would be the homes and a school, not townhomes. Would it have made a difference if the buyers knew it was going to be townhomes? Yes, the majority would not have built with Salisbury had he been honest. Ms. Olson submitted a copy of the minutes from their neighborhood meeting for the planning commission to consider. It is more what Tara and Malorie had said. Ms. Olson went to the city council to talk about the water issue. Many people have concerns about the water. Councilman Paul Squires indicated that there is plenty of water in Elk Ridge – enough water for all the building. The question was asked at the city council meeting why the water was so expensive. The answer was that pumping it out of the ground for the residents to have is expensive. Dean Ingram bought water shares from the city that was approved at the meeting. Several thousands of dollars, where is the money going? Ms. Olson thought before doing more building, the pumping stations should be in place to pump more water to the people so it is not so expensive. City pipes need to be fixed. The city has passed things off that aren't to code. The city will be held accountable.

Public commented that with water being so expensive, no one that buys a townhome can afford to buy the water.

Kelly Liddiard, Chair said that the comment about the junky backyards...the townhomes aren't even built yet and it isn't known who is going to buy them so don't be judgmental about who is going to be moving into those townhomes. It isn't known what they can and can't afford.

Public commented that Mr. Liddiard knows what happens with townhomes...they become rentals.

Kelly Liddiard, Chair gave a rebuttal that some do become rentals and some don't. It depends on how they are set up.

Public, Angelia Olson also that Salisbury's townhomes in Payson are not selling. So they are going to have empty units.

Public, Greg Anderson said that the plan was originally to be single family dwellings. Is there anyway to go back and have them do single family homes?

Kelly Liddiard, Chair stated that he didn't remember them being single family homes. There was a mix of townhomes and single family homes.

Councilperson, Erin Clawson presented the facts. The first submittal application for Horizon View farms was originally condominiums, which was then upgraded to townhomes back in 2007. The original plan started in 2005. The first Salisbury home sold in 2010. All of the phases together were already approved, even though in the people were against it in the survey. The survey was completed to get a pulse for what people want in the city, but the city cannot stop the developer who own land to develop it how they want. The answer to the question as to whether they will change their plan...they can ask them, but the city cannot force someone to not develop the land differently. Every time there is a development, there are growing pains. The city has followed the process the right way and actually made things stricter for the developer. Councilperson Clawson indicated that the public hearing is about the townhomes and not specific issues such as grading and the water problems.

Public voiced their concern regarding the sale of homes from Salisbury.

Councilperson Clawson did not have any knowledge as to how Salisbury presented to the residents to sell their homes. She does know that the plan has been available to the public to view at anytime. It is public record.

Public, Malorie Simonsen commented that she is not against development. For the city's liability and the resident's personal liability, Ms. Simonsen was asking the planning commission to table the item until the issues are taken care of because it affects both parties.

Kelly Liddiard, Chair said that he didn't know if, legally, the city could hold up the development because the affected residents are in a different subdivision phase.

Public, Malorie Simonsen indicated she had talked to some people with the county and said the city could hold the building permits until things are fixed.

Kelly Liddiard, Chair indicated that he would look into, but from what he remembered with past issues is that the city cannot hold something in the lieu of ransom for something else. The planning commission can table it, but he cannot deny the subdivision if the developer has done all his due diligence.

Public, Tara Costin wanted to clarify regarding her comment on the "junky backyards". Townhomes in general do not have large garages or private yards for storage sheds, so townhomes in general tend to store their lawnmowers and stuff in the backyard.

Kelly Liddiard, Chair thought the individual units would have their own fenced backyards.

Public, Tara Costin said they don't have fenced backyards. That is why Ms. Costin would recommend a fence on the East side.

Kelly Liddiard, *Chair* indicated there was a 50-foot barrier of open space between the townhomes and the phase 2 homes. Does every home on the side have a fence?

*Public, Tara Costin* replied that not every home does have a fence yet, but they are private property so they have the option of putting up a fence.

Kelly Liddiard, *Chair* indicated that the townhomes are private property too and will be managed by an HOA.

*Public, Malorie Simonsen* said that each individual townhome owner is not going to have an option of putting up a fence. She knows because she has lived in Salisbury Townhomes before.

Kelly Liddiard, *Chair* responded that it depends on how the HOA is written.

*Public, Tara Costin* said that if Salisbury is already planning on putting up a fence on the west side where there is nothing but dead weeds on private property and the north side is on the street, then why can't the city ask them to put up a fence on the east side.

*Public, Clint Mitchell* asked what the master plan call for the area.

*Shay Stark, City Planner* explained that part of the annexation process, at that point and time, the area is zoned and that is when the land is planned with what is going to be there. In 2005, when it was annexed, there was an annexation development agreement, which was for Elk Ridge Meadows phases 1 and 2, phase 5 with Dean Ingram and the ten acres for Horizon View Farms that was all planned at that time with the density using a PUD overlay. At the time of agreement, the ten acres were approved to have the townhomes. There was a total number of homes that was allowed for the entire project and the vested right is the remaining number of townhomes, which is 74.

*Clint Ashmead, PC* asked if Elk Ridge City meets characteristics of other city's of this size of developments of this size versus single-

family homes. Is it something the community needs to meet the requirements?

*Shay Stark, City Planner* clarified the question is there other townhomes in the city.

*Clint Ashmead, PC* said the city is required to provide smaller homes, affordable housing. It is a matter of where and does the city already have it and does it fit the needs of the city.

*Public, Lucretia Thayne* heard that the U.S. Supreme Court couldn't require cities to require parks and open space as part of development. If that is true, then can playground equipment be required?

Kelly Liddiard, *Chair* explained that it comes down as part of the development agreement to get the higher density and it has all been worked out in the past.

*Public, Lucretia Thayne* commented that she isn't sure what Mr. Liddiard was talking about, but she thought the residents needed to be a little cautious....Maybe some people need to be held to a higher standard. Ms. Thayne thought the lists were a little brash.

*Public, Angelia Olson* said the reason they made lists because the residents weren't specific enough with Salisbury and so they are making their demands specific.

*Public, Joe Neilson* commented that a lot of the developments, like the one in question, around Spanish Fork and other cities when they put a development in, they put a fence surrounding the outside border of the subdivision. Is that something that Salisbury could do?

Kelly Liddiard, *Chair* didn't think that any city wanted a bunch of areas cornered off with fences and barriers. It kind of starts cliques and "we don't want your people over there" type of attitudes. He isn't against putting a fence around all of Elk Ridge Meadows including the townhomes, but he isn't sure it is something that they could hold Salisbury or the other developers to.

*Public, Angelia Olson* commented that there has never been a development in Elk Ridge of townhomes. The planning commission will set the precedence so the residents are asking for the planning commission to set the standard and be very specific after what the residents have dealt with with Salisbury not following through with what they said they would do. It needs to be very specific and it needs to be this way so it doesn't become an eyesore or a problem area.

Kelly Liddiard, *Chair* indicated that they don't know everything that he has stood up for in Elk Ridge. Mr. Liddiard doesn't want an eyesore.

*Dean Ingram, Developer* commented that the master plan was already finished for the project and the density cannot be changed. Mr. Ingram has developed townhomes before and each city has had them do different things as far as an HOA. Whatever is going to be done, just make sure it is the way people want it to look.

*Public, Tara Costin* asked Mr. Ingram as a developer, if he would put a fence surrounding a Townhome development.

Mr. Ingram replied, but was incomprehensible.

*Public, Clint Mitchell* asked if there were more townhomes for the future.

Kelly Liddiard, *Chair* indicated there is not any other plans for townhomes in the future.

*Public, Justin Myer* realized that the city couldn't stop them from building townhomes, but maybe they could talk to Salisbury to see what could be pursued. There are a lot of people there against the townhomes. Maybe the planning commission could put in a good word for the residents and it would go a long way. Maybe the City could let Mr. Salisbury know that there are a lot of neighbors who do not want townhomes. They would like single-family homes. Mr. Myer looked at the general plan and knows it is zoned for townhomes, but he just feels Elk Ridge is a rural community and it is just not the place for Townhomes.

*Public, Michael Moore* commented that Mr. Liddiard doesn't like a divided city and it doesn't make sense for fences, etc., but being at the planning commission and listening to the conversation Mr. Moore can't help but feel like there is a division. There were residents' present expressing concern about things that have happened and he can't help feeling a division between the residents and the council in the fact that Mr. Liddiard is so unwilling and sure about what he knows that he is unwilling to go forth and look into some of the concerns.

Kelly Liddiard, *Chair* interrupted and told Mr. Moore that he didn't know what he was going to do.

*Public, Michael Moore* said Mr. Liddiard wasn't showing any respect. Mr. Moore reiterated that the residents were trying to express some concerns. He stated that if the planning commission could do anything in their power, it could be a good thing. Therefore, he would have liked to hear that the planning commission's hands might be bound in some things and they might not be able to do certain things, but in hearing all the concerns, the planning commission is going to go and do everything they can to find out everything that the city will and should do for the people. That is all they are asking. He hoped that the planning commission would



be supportive of what they are trying to do. Mr. Moore indicated that they are not trying to get the planning commission to do something that they cannot do.

Councilperson Erin Clawson indicated that she called Chris Salisbury and asked him on behalf of the neighborhood if there would be anyway he would be willing to build single-family homes. Mr. Salisbury responded that he was not willing to change to single-family homes because the amount of homes that he could put down there, wouldn't be worth the money he could make on townhomes. This is their livelihood. It wouldn't be worth it to him to do the single family homes. On behalf of someone from the city, she did call Mr. Salisbury directly to express the residents concerns and feelings. Councilperson Clawson didn't think the residents were alone in their feelings, especially about Elk Ridge being rural. She also talked about speaking with Malorie Simonsen's dad at the county recorders office to see if there is something legally that the city could do. The city is bound by the law, but the city is not unwilling and she knows that the planning commission goes above and beyond and they are all volunteers. Public, Clint Mitchell commented that Mr. Liddiard said there were things that the residents didn't know about that he was defending.

Kelly Liddiard, Chair said that just the way that Elk Ridge Drive is going to be realigned and the roundabout is going to be installed. Mr. Ingram came in with one design and the city had him re-design and he came back with something different. There isn't a division. That is why there is a public hearing so the residents can express themselves. Mr. Liddiard had written down 90 percent of the concerns. He is going to have the attorney tell the planning commission what can be done.

Public, Angelia Olson indicated that it probably wasn't the right place, but she thought the city should look at another city attorney because the current attorney [David Church] is looking at retiring soon, lives in Alpine and doesn't like confrontation. She thinks the city needs an attorney who cares about Elk Ridge City and what the citizens want and know how to help them.

Kelly Liddiard, Chair indicated it Ms. Olson's comment didn't apply.

Councilman, Brian Burke explained that the city went through a similar situation with the self help homes when they moved into Elk Ridge Meadows Phase I. There was a lot of heartburn over it. The city sat down with the director to discuss the concerns and was able to come to a solution. If the residents sat down with Chris Salisbury and expressed their concerns, maybe open the line of communication. [*Chris Salisbury was present, but left the meeting early.*] Councilman Burke's intention was to try to communicate and see if there was a compromise. He doesn't think any developers want to bring in a development with a neighborhood that doesn't want it.

Public, Spencer Nelson commented that there have been issues with the city not being able to follow up on things when it comes to building. What has taken place and what changes are going to take place to make sure that city ordinances are followed from now on?

Kelly Liddiard, Chair admitted there have been issues and one of the things that has been done is that the city has hired a new building inspector and zoning enforcement officer so it is a work in progress.

Mayor Hal Shelley expressed his appreciation for the public being at the meeting. There are a lot of situations that the residents are facing that have been brought to the mayor that he has been trying to address. The runoff issues and those kinds of issues – the city needs to find a way to make sure that the city can address them effectively, properly, legally. Mayor didn't like what happened, but the building inspector has come to him on a couple of issues and the mayor instructed the building inspector to readdress certain aspects of the building inspection. He hopes that he hasn't done anything to allow inspections to go by that were subpar. If he had, he was not aware of it. He would like to know if he is responsible somewhere so that he can take that responsibility and find a way to take care of it. In terms of what happened at the meeting will be passed on to the city council. The mayor will make sure when the issue is on the agenda and before he wants the information that was brought forward because he wants to research it. He would like to know what's going on and find out how to address it. In the survey that was taken, the mayor was part of the 78 percent that didn't want townhomes. It is history now and it can't be changed. The mayor trusts the city planner, Shay Stark, who looks for every opportunity to try to make things correct, but the mayor won't stop there. He will pursue other avenues if possible.

Public, Tyce Erickson asked if Salisbury could make the development single family homes if he chose to.

Kelly Liddiard, Chair replied yes, he would think. As Shay Stark, City Planner stated the townhomes were part of the development agreement and PUD overlay that occurred before Salisbury was even involved. That is where the density came in. As it has been stated, the density cannot be changed – it has been allowed. So the townhomes are probably going to happen.

Public, Clint Mitchell asked what the planning commission's personal feelings were regarding townhomes.

Kelly Liddiard, Chair replied that it is not the place or the time, but he will tell his feelings. The city needs to be diversified a little bit. There has to be lower income housing by federal law. It has to be allowed in the city. At the time, that was one of the things the planning commission was looking at so Mr. Liddiard wasn't totally against it. Townhomes are not his favorite. If a developer comes in and meets all the requirements, the planning commission cannot deny them. He understands and the planning commission can set some standards. Mr. Liddiard said he would check into what the city could do to get the resident's issues fixed. He has questions.

Clint Ashmead, PC commented that he agreed with Kelly Liddiard to a large degree. As far as what the city needs to do and allow the types of things, the city may be bound that way. He feels that everybody is responsible for what they do in business. His thoughts are to hold Salisbury accountable for appropriately developing the subdivision the right way. The residents deserve that and they paid for that. They were told that is what they were going to get. As a person that lives in the city and pays taxes and wants to see the city be the best it can be, Mr. Ashmead doesn't want the city, all of them, liable for those types of issues. He doesn't want to be liable. He has nothing to do with that subdivision. He could have lived there himself. It was just chance that he didn't live there. If Mr. Ashmead was in the other resident's position, he would feel the same way. People need to be held responsible for what they got themselves into and what they sold to them. He feels that going forward after researching everything, which he thinks was quality, the planning commission needs to get other recommendations the citizens have. Mr. Ashmead doesn't have any issues himself recommending to the planning commission or the city council that fences be considered, that play structures be considered, that certain code of appearance on the building of exposed cement, he agrees. The fourth request of not allowing the HOA to be dissolved to preserve what the intent was of that facility. Mr. Ashmead is not against the townhomes being built. He wants it to be done right there, as well as next door.

Public, Tyce Erickson thought that regardless if there is a fence surrounding the development; people are still characterized by where they live...Salisbury development, Arive Homes development, etc. Regardless of fence or no fence, there is a division. He encourages Salisbury to try to consider single family homes so there is not a big division within the Elk Ridge Meadows phases.

Clint Ashmead, PC thinks Mr. Salisbury probably understands how everyone feels. All Mr. Ashmead could ask before is to consider what Mr. Salisbury is doing from his shoes and his business opportunity right now. Everyone is out to make money so he thinks that everyone wants to be in business in an ethical and appropriate way of follow through with responsibilities.

Public, Tyce Erickson responded that personally his name means more to him than money. If he had an outcry from citizens and he had just built 50 of their homes, he realizes he won't make as much money, but he would help the citizens fix things. He is not in it for the money.

Public, Dallon Olson said he realizes the townhomes may go in, but in dealing with the particular developer. When going around the neighborhood, Mr. Olson was really surprised at how many people had issues with the developer – problems unsolved. The citizens are trying to warn the planning commission to watch very carefully that everything is in writing of what is expected so there can't be any corners cut and hold the developer to it because there are a lot of people that have issues – well over 50 percent have issues with the developer.

Public, Spencer Nelson commented that there were recently nine lots that couldn't meet code and it was put on the city to make the city look bad. The city had to sacrifice the well being for someone else's decision.

Councilperson Erin Clawson indicated Mr. Nelson was talking about the self help homes and the minimum square footage requirements.

Public, Spencer Nelson explained that Rural Housing bought nine lots and during that time, the city modified the minimum square footage requirements to 1600 square feet. The buyer didn't know and didn't do his due diligence. Once again, the city folded on the issue and Mr. Nelson didn't think it was appropriate. It had nothing to do with that type of home.

Kelly Liddiard, Chair responded that the 1600 square feet didn't apply to those lots.

Councilperson, Erin Clawson indicated that it did apply to those lots and Kelly didn't know. The attorney said there was state law that was not followed where the city should have given him a personal written notice. There wasn't proper notice given in the newspaper.

Kelly Liddiard, Chair, closed the public hearing at 8:03 pm.

Andy Costin, PC commented that there have been a lot of comments, a lot of issues. Legally, if the developer abides by code, there is not much that can be done. The city's hands are tied. The density has been met. He talked about the fence, and play structure in the proposed subdivision and thought the city really needs to take the time to look into the issues to see what the city can do. If there are going to be townhomes, what can be done to make it an acceptable development for the people of the city.

Clint Ashmead, PC commented on Spencer Nelson's comments that he just wasn't completely aware of the dynamics, but the concern that Mr. Ashmead has as a commissioner for the city is perception or what they are there talking about as a community and how it is growing. Everyone is present at the meeting because there is concern for the community. All he can ask is that the residents stay up on what is happening within the community because it is hard to do. There is perception within the community that needs to be readjusted and it is going to take some work and the city is already on that path. The mayor mentioned that there is a zoning compliance officer and a new city inspector.

Mayor Hal Shelley indicated that the building inspector has been with the city for just over a year. But some of the concerns that the people are currently facing would have probably been because of a previous building inspector. The mayor has instructed the current building inspector to let him know when there are concerns. The mayor has asked the planning commission to re-look at the code relative to the problems that have gone on in the PUD developments. It is going to take time to do it and do it right.

Clint Ashmead, PC wanted to make the point that the city does need to make concerted efforts to make the right decisions and have the right people in place and change the current perception of how the city is growing.

**CLINT ASHMEAD MOTIONED AND KELLY LIDDIARD SECONDED TO TABLE HORIZON VIEW FARMS PRELIMINARY PLAT UNTIL REVIEW IS COMPLETED FOR THE ELK RIDGE MEADOWS PHASE 2 SUBDIVISION AND THE CODES/DRAINAGE ISSUES ASSOCIATED WITH THAT DEVELOPMENT TO MAKE SURE THAT EVERYTHING IS CORRECTED THAT NEEDS TO BE CORRECTED. ALSO, LOOK AT THE HORIZON VIEW FARMS TOWNHOME DEVELOPMENT AND ASK THE CITY AND OTHERS TO HEAR ABOUT THE CONCERNS FOR THE BELOW HOME OWNER'S ITEMS:**

1. FENCE ON THE EAST AND WEST SIDE.
2. PLAY STRUCTURE IN THE MIDDLE OF THE DEVELOPMENT.
3. ESTHETICS OF THE DEVELOPMENT UP TO CODE – (EXPOSED CEMENT TO CODE AND OTHER ITEMS).
4. HOA COMPLETED WITH ADEQUATE CODES AND RULES AND IS NOT DISSOLVED.

**VOTE: YES – ALL (5), NO – NONE, ABSENT (2) – KEVIN HANSBROW, DAVID CLARK**

*\*MOTION TABLED UNTIL NEXT PLANNING COMMISSION MEETING.*

#### **ELK RIDGE MEADOWS PHASE 5 FINAL PLAT (DEAN INGRAM)**

Shay Stark, City Planner provided a background of the development for the newer commissioners. The development was part of the original Elk Ridge Meadows development, which was annexed into the city in 2005. Originally, there were four phases – 1, 2, and 3 – which is now phase 5. There were originally approximately 49 acres in phase 5 and 10.6 acres in phase 4 (Horizon View Farms – townhomes). When Elk Ridge Meadows was annexed into the city, a special zone was created – R-1-12,000, which was the smallest lots that the city allowed. At the same time, a PUD was tied to the R-1-12,000. In 2010, the PUD was stripped off of the R-1-12,000



and put it as a PUD overlay zone. At the time, all of Elk Ridge Meadows development was all approved and written in the Annexation Development Agreement. The original developer of the 122 acres (all phases), the development fell apart with the economy crashing in 2008. The bank took it over and then Centennial Bank dissolved and so it has been through a big mess. Dean Ingram purchased it from the bank. The school district purchased part of the parcel before the bank took it over. There are 13 or 14 acres that was sold to the school before the bank take over. There is set to be a future elementary school there. So the developer is locked into the shape of the development. Mr. Ingram has gone through the subdivision process with the city and has received preliminary approval for the whole development. Now the planning commission is looking at the approval of Mr. Ingram's first phase, phase 5, for final approval. It is the first of five phases that Mr. Ingram will be bringing to the planning commission. Phase 5 will continue Skyhawk Way from Phases 1 and 2 out to Elk Ridge Drive. As part of the 2005 original plan, Elk Ridge Drive was shown as being relocated on an angle to go straight through the development, which Mr. Ingram was tied into doing. Mr. Ingram is developing 18 lots in phase 5 on Skyhawk Way. The construction drawings meet the city standards and the plans meet the city development codes. One of the items that held up the approval on August 29<sup>th</sup> was the fact that there were not any water rights assigned yet for the phase. He has now obtained the water rights. Mr. Stark recommends approving the phase to move forward. Kelly Liddiard, Chair asked Mr. Ingram if the grading going to be done right.

Dean Ingram, Developer explained that there are certain things that a city can do and there are certain promises that are made that are a civil issue. Drainage is a huge deal. Most cities require the developer to provide a drainage plan as part of the approving process. It is a problem to figure out how to get water out and not into the next lot or home. They will take care of the drainage.

Kelly Liddiard, Chair asked when he planned on getting started with the phase.

Dean Ingram, Developer said he was hoping to start after city council.

Shay Stark, City Planner indicated Mr. Ingram still needed to get bonding in place and the development agreement.

Kelly Liddiard, Chair asked if the monument issue was worked out.

Shay Stark, City Planner replied that it is still being worked on. He indicated the monument doesn't really affect phase 5.

Marissa Bassir, PC Assistant asked how close the amended development agreement was to being done.

Shay Stark, City Planner replied that it is close; they are just doing some final touches to the park requirements with the grasses and landscaping. They need to talk with Paul Squires who is an expert with the different types of landscaping.

**KELLY LIDDIARD MOTIONED AND COLIN LOGUE SECONDED TO FORWARD ELK RIDGE MEADOWS PHASE 5 FINAL PLAT TO CITY COUNCIL FOR THEIR APPROVAL. VOTE: YES – ALL (5), NO – NONE, ABSENT (2) KEVIN HANSBROW, DAVID CLARK**

#### **APPROVAL OF 8/29/13 PLANNING COMMISSION MEETING MINUTES**

There were not any corrections made to the meeting minutes presented.

**COLIN LOGUE MOTIONED AND CLINT ASHMEAD SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF AUGUST 29, 2013 AS WRITTEN. VOTE: YES-ALL (5), NO-NONE, ABSENT (2) KEVIN HANSBROW, DAVID CLARK.**

#### **CITY COUNCIL UPDATE**

The topic of I pads for the planning commission was brought up and Councilman Weston Youd said the city council had approved I pads for the planning commission. Research will be done to see how those will come about.

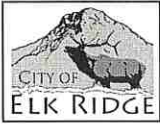
Councilperson, Erin Clawson indicated that speed tables had been approved for along Goosenest Drive.

#### **OTHER BUSINESS**

Additional conversation took place regarding the availability of records for people to look at to get information when purchasing a home. The planning commission talked about getting the maps of the general plan hung up on the walls of the council room.

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 8:44 p.m.

  
Planning Commission Coordinator



## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF SPECIAL PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a special planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Monday, 7 October 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **7:05 PUBLIC HEARINGS AND ACTION**

1. Elk Ridge Fire Department Building Expansion Site Plan..... *see attachment*
2. Watson Conditional Use Permit for Hobby Animal (Chickens) ..... *see attachment*

### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 30 September 2013 and delivered to each member of the Planning Commission on 30 September 2013.

Planning Commission Coordinator: *Marissa Bassin* Date: 30 September 2013

1

2

3

# ELK RIDGE PLANNING COMMISSION

October 7, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, October 7, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Colin Logue, Clint Ashmead, Andy Costin, Kelly Liddiard, Cory Thompson, David Clark, Kevin Hansbrow  
*Absent:* None  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Mayor Shelley, Seth Waite, *Fire Chief*  
*Public:* Bryce Kimber, Tricia Watson, Lucretia Thayne

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow followed by the pledge of allegiance.

## APPROVAL OF AGENDA

No changes were made to the agenda.

## ELK RIDGE FIRE DEPARTMENT BUILDING EXPANSION SITE PLAN PUBLIC HEARING

Kelly Liddiard, Chair, opened the public hearing at 7:05 p.m.

Shay Stark, *City Planner* provided a background for the planning commission. The public facility zone requirement is that every time there is a change in a layout for a site, there needs to be a process of approval. The city wants to remodel the existing city office/fire station and expand the fire station. The setback on the building is an issue. The existing code has definitions for six types of uses within the public facility zone, which only three of the types have setbacks listed in the table so there needs to be an exception for the 12 foot rear setback.

Cory Thompson, PC asked who the adjacent home owner was.

The response was Tommy Trevort.

Mr. Thompson said if the adjacent owner is fine with the setback and there aren't any doors located on the backside, then he didn't see a problem with the approval.

Shay Stark, *City Planner* indicated that the mayor has spoken with the neighbor and they seem to be favorable to the expansion.

Mayor Shelley explained that the expansion has been worked on for more than six months and the fact is that the fact that the neighbor was buying a house next to the fire department is not going to change. It is still the fire department and it is just expanding. The neighbor has had it explained that if they have any issues, they are welcome to bring the concerns to the city. As of the meeting, there have not been any concerns brought forward.

Cory Thompson, PC commented that he understands code is not being violated, but out of respect for the neighbor, he just wanted to make sure he was in favor of it.

Shay Stark, *City Planner* explained that if there are concerns, there are some options that could be discussed, such as trees along the back so they don't have to look at a roofline. The city wants to make the best use of the property. Another issue was the fact that the city's property is part of the right-of-way, which is a strange little piece of property that he is guessing no one knew what to do with so it was assigned as the street right-of-way. The city owns the property, but there just needs to be a lot line adjustment to include that piece in the property that is going to be built on. If it is approved and the council is willing to accept the public hearing as the process for a lot line adjustment so there doesn't have to be another approval. The lot line adjustment does not affect any other property, but the city property.

Kelly Liddiard, Chair, closed the public hearing at 7:13 p.m.

Kelly Liddiard, Chair expressed concern regarding the trees in the back, which is a maintenance issue. Mr. Liddiard also asked if the back alley way was intended to be an access point for the park. He would like it gated off so people don't go in back of the building and hang out in dark corners. It needs to be a controlled access.

Mayor Shelley said it potentially could be at some point. It was in the trail system.

Colin Logue, PC suggested maybe putting lighting on the corner or around the building backside.

Seth Waite, *Fire Chief* indicated there will be lighting around the front of the building similar to the public works building and on the side. There is lighting on the east end.

Kelly Liddiard, Chair indicated that there could be lighting on the back, but not so it is shining in the neighbor's home.

Seth Waite, *Fire Chief* indicated the lighting and anything else in back of the building would need to be heavy duty, contained and immovable.

**CORY THOMPSON MOTIONED AND DAVID CLARK SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL FOR THE SITE REVIEW FOR THE FIRE STATION EXPANSION TO INCLUDE THE APPROVAL OF THE SETBACKS SHOWN ON THE PROPOSED SITE PLAN AS WELL AS, APPROVAL OF THE RECOMMENDED LOT LINE ADJUSTMENT AS PROPOSED. VOTE: YES – ALL (7), NO – NONE, ABSENT - NONE**

## WATSON CONDITIONAL USE PERMIT FOR HOBBY ANIMAL (CHICKENS)

Kelly Liddiard, Chair opened the public hearing at 7:18 p.m.



69 Public, Lucretia Thayne was concerned about the fee of \$50 that the applicant had to pay for the conditional use permit. She didn't  
70 think they should have to pay.

71 Kelly Liddiard, Chair closed the public hearing at 7:19 p.m.  
72

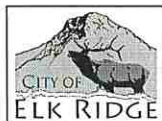
73 **KEVIN HANSBROW MOTIONED AND CLINT ASHMEAD SECONDED TO APPROVE THE WATSON**  
74 **CONDITIONAL USE PERMIT FOR HOBBY ANIMALS, CHICKENS. VOTE: YES – ALL (6), NO – NONE, ABSENT –**  
75 **NONE.**

76 *\*Kelly Liddiard abstained from voting as he was a neighboring property.*  
77

78  
79 **ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:20 p.m.  
80

81   
82 \_\_\_\_\_  
83 Planning Commission Coordinator





## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 10 October 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **PUBLIC HEARINGS AND ACTION (none)**

#### **7:05 OTHER ACTION ITEMS**

1. Horizon View Farms Preliminary Plat..... *see attachment*

#### **DEVELOPMENT CODE / STANDARDS REVIEW (none)**

#### **7:30 PLANNING COMMISSION BUSINESS**

2. Review & approve minutes of 9/12/13 meeting..... *see attachment*
3. City Council Update
4. Other Business

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 4 October 2013 and delivered to each member of the Planning Commission on 4 October 2013.

Planning Commission Coordinator: *Maissa Bassin* Date: 4 October 2013

7

1

1

# ELK RIDGE PLANNING COMMISSION

October 10, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, October 10, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Colin Logue, Clint Ashmead, Andy Costin, Kelly Liddiard, David Clark,  
*Absent:* Kevin Hansbrow, Cory Thompson  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Mayor Shelley, Erin Clawson, *City Council*  
*Public:* Cade Harding, Tyler Beddoes, Lucretia Thayne, Terra Costin, Brandon Freeman, Thomas Braithwaite,  
Dallan Olson, Angelia Olson, Patrick Pouliot, Anne Pouliot, Lisette Lazarte, Lindsay Brown, Ciera Thayne

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Clint Ashmead followed by the pledge of allegiance.

## APPROVAL OF AGENDA

No changes were made to the agenda.

## HORIZON VIEW FARMS PRELIMINARY PLAT

Shay Stark, City Planner provided a background stating that at the last public hearing for Horizon View Farms, the planning commission expressed an interest that they would like to have four of the issues from the public hearing followed up on by Salisbury. Those four issues were (1) fence on the east and west side, (2) incorporation of play structure in the middle of the development, (3) esthetics of the development (specifically, exposed cement), (4) HOA completed with adequate codes and rules and is not dissolved. The staff has reviewed these issues and the comments have been passed along to the developer to address, which a letter was sent back with just a slight change in the layout – the existing barbwire fence along the north and west side were removed from the plat. There are not any future plans for fencing. The city code doesn't require the other citizens in the community to erect a fence. It defeats the purpose of open space to put up a fence and not be able to look down into the open space. Mr. Stark asked the developer, Chris Salisbury, to supply him with a drawing or picture of what the common area for each unit. In the picture Mr. Salisbury provided, the common area is fenced with vinyl along the sides with some sort of patio and grass. The residents are able to do what they would like within that area.

Mr. Chris Salisbury, Developer indicated that the picture he provided was just an example and was actually not a Salisbury development. The common area in the picture is what was envisioned.

Kelly Liddiard, Chair asked if the structure was going to look like the picture. [no]

Mr. Chris Salisbury, Developer also stated that the fence in the left of the picture only separates the townhomes from the next development. There is not an intention for a fence.

Colin Logue, PC commented that when they say "the residents can put up a fence", does that mean where the partitions are ending or an enclosed subdivision?

David Clark, PC mentioned that the fence separating the single family homes from the townhomes is a nice touch. Is a fence just not in the cards? Based on the amount of space?

Mr. Chris Salisbury, Developer commented that there is space in back of their common area. Mr. Salisbury referenced the plat map. Shay Stark, City Planner indicated that was a required setback.

Clint Ashmead, PC referenced all the trees on the landscaping plan. He asked if the trees were an idea or really where trees were to be located. Could there be a compromise with trees for a little more privacy? Emphasize the trees along the east border so there could be a separation for esthetics.

David Clark, PC asked Mr. Salisbury if they leave anything up to the townhome buyer to do, such as landscaping, etc. It should all be done when the townhome is purchased and then the HOA maintains it.

Mr. Chris Salisbury, Developer said they haven't talked about the timeframe of when the landscaping would be installed. Possibly, a staged effort once there is a certain number of townhomes complete, then they would do the landscaping and so on. As the project is developed, the landscaping would be installed around the building. Landscaping prior to building is not going to happen.

Colin Logue, PC asked where the grass ends, what would it run into. Open area, weeds?

Mr. Chris Salisbury, Developer explained that on the east side, there is the natural area where the open space is located.

Kelly Liddard, Chair indicated that the open space would end up being the city's responsibility to maintain.

Shay Stark, City Planner said it would end up being the city's and there is a possibility that it would be re-seeded with native grasses and something that would take care of the weed issue and yet provide something that doesn't need to be heavily irrigated.

Further discussion took place regarding the types of trees and possibility of shrubs to landscape. Mr. Salisbury submitted a landscaping plan that meets what is required.

David Clark, PC said that it is money for a vinyl fence. Mr. Clark is trying to understand what the motivation is. Speaking for the city he doesn't know if there is anything else that may prohibit it. Is there other issues?

Kelly Liddiard, Chair, indicated that he manages an HOA property that is about the same size as the said development and there was a vinyl fence installed and six years ago it cost around \$56,000. That is a cost issue for Mr. Salisbury and he understands that.

Mr. Chris Salisbury, Developer indicated that they would like to keep an open feel to the east. If there is a fence and someone wants to use the open space, then they would have to walk around the fence to get to it. They would like to keep it open.

Shay Stark, *City Planner* said that item #2 was the play structure, which is located in the center of the development. The specific question was if the townhomes were not going to have a play structure, then would Salisbury provide additional play structures to the existing playground in phase 2 to accommodate the abundance of children that could come from the townhomes. So it is a non-issue. Kelly Liddiard, *Chair*, commented as an FYI that the playground located within the townhome development would be off limits to other residents outside of the townhomes because the development is private and an HOA.

Shay Stark, *City Planner* moved on to item #3 esthetics of the buildings – specifically the exposed cement on the foundation. Mr. Stark showed a proposed elevation for the building and the way it is set up, the buildings can be stepped. So the issue with the large exposed area of concrete is probably not going to be an issue. Mr. Stark wanted to point out that at the public hearing it was said that the 18 inch average for the exposed concrete is city code and it is not. The item was negotiated in the CC&Rs with the original developer and would be specific to phase 2. The CC&Rs are brought forward to the city to be recorded with the plat to be legal. The city looks at it for code compliance and to make sure there is not anything less strict than city code. Once the development is building, it is up to the HOA to enforce the CC&Rs. It is not up to the city building inspector as he does not even have a copy of the CC&Rs. It is typical of an HOA to have an architectural committee to make sure the CC&Rs are met before building permits are issued. Mr. Stark asked Mr. Salisbury to describe the materials and the look that they are after.

Mr. Chris Salisbury, *Developer* indicated that the amount of foundation showing, staggered in the elevation and are not just straight according to the photograph that was shown. The topography of the ground is such that it does have a slope. When they get into some of the areas where they are building the buildings, every elevation for every building will be a little bit different. By elevation, he means how high out of the ground does the building sit. There are a couple of determining factors that have to be looked at. (1) How low is the sewer in the ground? He doesn't know where the sewer sits just yet. Arive Homes is laying pipe currently and a lot of what they are doing could impact the Horizon View Farms development. East of the units, there are some dotted lines on the plat that represent basements. The horizontal lines have to be above the sewer lines in order for the sewer to work correctly. There are ejector pumps that could be installed that would allow the home lower than the sewer line, but some individuals don't want to worry about that. They will try to avoid it. (2) Topography. What is the slope? What are the natural contours that will dictate how the house sits? Salisbury likes to keep the homes as low as possible, but there are times when they can't. The façade for the units was originally designed for a development of single family homes they were looking at doing in Spanish Fork. 25-30 feet wide. It was intentionally designed so the individual units could be brought together for townhomes. They are designed to compliment each other. There are three elevations that could be moved around in different formations. Not every building will look the same from the front. The units could be changed up and have some variety, which is good. The materials have not been settled on yet and it really comes down to price. The homes are designed to a point where they could probably start bidding them out. They talked about LP siding, shape shingles. Stucco was discussed, as well as vinyl siding. It all depends on the price.

Shay Stark, *City Planner* indicated that a couple of years ago when the project was brought forth for approval, there was quite a bit of time was spent on the elevations and the materials to be used. In looking at the minutes, it was finally agreed upon that there wouldn't be any vinyl. Mr. Stark asked if the LP siding was an insulated product or a concrete fiber board.

Mr. Chris Salisbury, *Developer* explained that the concrete fiber board is made by a company called James Hardy and they have used it in the past, but it is really difficult to install and is brittle and expensive. LP Smartside is an engineered wood product and it is designed to be a lot easier to install. It doesn't cost as much as hardy board does. LP Smartside is on the homes in phase 2. Eight years ago when Mr. Salisbury's home was built, they used cement board and he likes LP Smartside a lot better. The warranties are comparable and they both have to be painted. Every eight to ten years it needs to be maintained by painting.

Andy Costin, *PC* said that the residents that expressed concern over the exposed foundation, Mr. Salisbury said it was determined by the depth of the sewer line. Mr. Costin thinks the residents were asking if there is a way to step the foundations to follow the natural contour of the land so there is three feet of cement and once the natural contour is hit, then go to a wood frame in order to put the fascia on, instead of having the eight feet exposed – four feet may be buried, but there is still four feet exposed.

Mr. Chris Salisbury, *Developer* said it could be done, but it is just a function of cost. The LP Smartside or stucco or whatever and the lumber that is underneath it is more expensive per square foot than concrete. It could be looked at once the utility drawings are done, it will give them a better idea as to where the homes would sit. Maybe there is a premium on it to offset the cost. It is up to the buyer whether or not they are willing to spend the extra money to get the look. Some people don't like the look of the foundation and others don't care.

Clint Ashmead, *PC* asked if the buyers will be able to choose the profile before it is built or will it be built first?

Mr. Chris Salisbury, *Developer* indicated that Salisbury will predetermine the layout of the buildings and will be allowed to choose what's available.

Clint Ashmead, *PC* asked who their target from their marketing studies is. Obviously, multi-family, but looking at their choices for buying certain things and prices are determined. What is the target?

Mr. Chris Salisbury, *Developer* indicated they are targeting entry level buyers (first time home buyers). There has been an interesting trend over the last 12 months. They are kind of coming out of the slump and the market is improving. People were spending more money. They were buying bigger homes. Over the last six to eight months, they have seen interest rates pick up a little, land has gone up. Prices of materials have gone up. Labor has gone up. There was the opportunity for individuals to buy a bigger home, but since then has eliminated that option. The thing that hasn't changed is the buyer's salary. 12 months ago people could buy more with their money, now they can't. They are still targeting the same buyer, but the buyer just can't buy as much.

Shay Stark, *City Planner* asked Mr. Salisbury to describe what he envisioned for the back of the buildings.

Mr. Chris Salisbury, *Developer* described that there was going not going to be a flat wall with a few pop-outs. It would be more of a break between each of the four units, but the design hasn't been finalized yet. They have really been working on the front elevations and the materials used. There might be a combination of LP Smartside and stucco.

David Clark, *PC* commented that because there is a slope, historically, Salisbury builds the home so there is a slope away from the home. The fences will be angled down. From the top of the hill, the water runs down the hill into the next person's yard and the next person's yard and since the units will be connected and if it isn't done right, there will be flooding. Mr. Clark was concerned about the drainage in the foundation and window wells of the units.



Mr. Chris Salisbury, *Developer* explained that they have had some projects where there are slopes and it is not flat. Essentially, they build pads and terrace them up. Each unit will be on its own pad and terraced. The fence will just depend on where the building pad is set. The fence will probably come out about 10 feet from the building

Shay Stark, *City Planner* indicated that the drainage issue will be critical. The advantage with the layout is the setback area behind because if the pads are terraced on the slope, then grade into a swell. The drainage could then be pulled away from the buildings. The drainage could go to the retention basin.

Kelly Liddiard, *Chair* asked what the dimension of the common area would be per unit.

Mr. Chris Salisbury, *Developer* thinks it is about 30 feet wide. There will be about 10 feet of fence.

Colin Logue, *PC* asked how long the time is for a builder to have the responsibility for drainage issues before it is turned over to the city.

Kelly Liddiard, *Chair* indicated that when a subdivision is turned over to the city, the city takes over the streets maintenance.

Shay Stark, *City Planner* explained that the development will be an HOA, which is private. The streets will remain private.

Kelly Liddiard, *Chair* indicated the only thing the city would be responsible for is any water coming off the city street. If there is a storm drain that backs up and runs into the HOA, then that is the city's responsibility. Everything else is the HOA's responsibility.

David Clark, *PC* commented that the problem still remains with the property being private and if it is not done right from the beginning. Then there are people coming to the meetings complaining that their basements are flooding and it is the city's fault

because the city signed off on the project. There is still a problem on the city's hands...how long until the problem is not the developer's.

Kelly Liddiard, *Chair* responded that the project is different. If everything inside the unit, usually from the sheetrock in, is the owner's responsibility. Anything outside is the HOA's responsibility. If the sprinkling system line breaks and floods the basement, it is the HOA's responsibility. The HOA has to pay for it and that is why they have insurance and bonds.

Clint Ashmead, *PC* said what he thinks David Clark is saying is that there are issues after the fact and it is pointed at the city's direction as the city studied the project and looked at all possibilities to catch any pitfalls that there might be. He thinks the planning commission needs to make sure the project is done right. He knows a lot of people are upset and ticked off at what they bought and that is why there is concern. As a member of the planning commission and knowing there are issues and concerns by the citizens so he doesn't want the project to be another example of issues.

David Clark, *PC* indicated that the next item on the list was the HOA and he said it is easy to dissolve an HOA.

Kelly Liddiard, *Chair* said Salisbury can't just dissolve an HOA. The only way an HOA can be dissolved is if the city is willing to take over the streets and such. That is a big deal. Very few times does that ever happen.

David Clark, *PC* asked if that is because by inception it is private. Phase 2 was initially an HOA and public property, but where the townhomes are private property, would that make a difference.

Kelly Liddiard, *Chair* said that most the time what happens is the cities don't want to take it over because they don't want the responsibility. They don't want the responsibility for what has been maintained and things aren't up to the standards of the city after it has been maintained. That is a downfall for an HOA. Dissolving an HOA just does not happen.

David Clark, *PC* said that the property can still be a headache for the city regardless.

Shay Stark, *City Planner* indicated that from what he has seen is that the CC&R's are what authorize and basically, legalize the ability for a developer and then a neighborhood to have an HOA, which are recorded with the plat. In order to dissolve the HOA legally, the CC&R's have to be removed from the plat. To legally remove the CC&R's takes a process, which is an amendment to the plat and has to go through the city. It seems like lots of HOA's fall apart. In his research, two things happen. The transfer from the developer to the neighbors that is supposed to occur does not occur correctly and it doesn't happen. There is usually a certain percentage of occupancy that the developer will turn over the HOA to the neighbors in the community. The other reason is because of politics within the community. Who will be in charge? Who will be on the board? People aren't willing to serve on the board.

Kelly Liddiard, *Chair* said that is the biggest problem is that people won't step up and be on the board.

Shay Stark, *City Planner* said that if the transfer occurred smoothly and it is down the road and the development is single family homes and everyone has their own separate lives. There are requirements, such as a fence, that may require a certain color and the residents don't want that color.

Colin Logue, *PC* indicated the residents bought their home knowing the requirements. Due diligence lies in the home buyer and the realtor.

Shay Stark, *City Planner* replied that it is either an issue or expenses that the residents have a problem with...maybe a pool or a park. The HOA hasn't put a lot of money into it or kept the maintenance up. There are tough decisions, special assessments and rates go up. There were different people on the board. The transitions seem to be the point where the HOA and everyone can't speak to each other anymore and can't make decisions and just walk away.

Kelly Liddiard, *Chair* said they cannot dissolve the HOA. People can walk away. It comes down to having an HOA board where people will enforce the CC&R's and the rules and bylaws. Regulations and rules do not have to be recorded with the plat. That is something the HOA board comes up with and if they start having problems, they can change and enforce the rules. There are some things that have to be in the bylaws and that has to be recorded. An HOA is not necessarily a bad thing, as long as it is managed and maintained well. The rules have to be enforced. Mr. Liddiard didn't know whether it was the builder or the developer who would set up the HOA.

Shay Stark, *City Planner* indicated that the declaration of an HOA was completed when recording the plat. The CC&Rs seem to focus on the esthetics of the structure when it is originally setup. Once the CC&Rs are set up, other rules can be set up.

Colin Logue, *PC* asked if the CC&Rs are reviewed and approved by the city council.

Shay Stark, *City Planner* replied that the city council reviews the CC&Rs, but purely to make sure the city code is not violated.

Colin Logue, *PC*, asked if the city council does not have any sway on the CC&R's.

Shay Stark, *City Planner* said there is not any sway beyond the violating of the city code. Once the development is built out, the HOA will start enforcing the rules and regulations.

Erin Clawson, *City Council*, added that an HOA is not exempt from complying with city ordinance.



Kelly Liddiard, Chair, indicated that the CC&R's cannot be less restrictive than the city code. The HOA has to maintain a reserve, which is usually about 10 percent of the annual dues to fix asphalt, roofs, etc. Insurance is also required by federal law for the HOA to insure everything in the unit. The HOA insurance has recently been raised.

Shay Stark, City Planner said that with townhomes, the HOA will probably hire a property management company to maintain it. They will make sure the fee stays about the same by figuring in the maintenance and what things will need to be fixed/replaced in the future. If there is a big item that comes up, the fee may be restructured.

Kelly Liddiard, Chair, commented that an HOA is a good thing for the elderly and first time home buyers because things are covered that maybe the elderly cannot do for themselves.

David Clark, PC, said that he thinks the planning commission and the city council should have some oversight as to what the HOA covers. Mr. Clark foresees down the road that the HOA could make changes to save money and then the HOA falls apart.

Kelly Liddiard, Chair, responded that the nuisance code would then apply. If they are not keeping up on the landscaping and maintenance then the city would step in and enforce the nuisance code. However, the city cannot make the HOA follow their own CC&R's and rules and regulations. The city cannot regulate private property like they would public property.

David Clark, PC, asked if the residents of the townhomes would go after the city because the city failed to inform the HOA to keep the property updated.

Kelly Liddiard, Chair, replied that it is not the city's responsibility to make them keep their property maintained.

Shay Stark, City Planner indicated that initially with the CC&R's is that they do not violate the city code. Once the CC&R's are violated then there are issues to deal with. If the city code is violated, then the residents of the townhomes are treated like any other public resident and cited for the violation.

Chris Salisbury, Developer indicated that they build several communities where HOA's are necessary. They gravitate toward one set of CC&R's. It is a lot easier to administer because they know what they all say. A couple things they put in the CC&R's is that as the builder they are also the declarer. They would be the person to declare what the CC&R's say. The CC&R's are more restrictive than city code. "For sale or rent" signs in the window are not allowed and other things like that. There are certain things that Salisbury set up to protect their investment. Salisbury is the declarer and they are in control of the CC&R's and the decisions made by the HOA until the project is complete. Typically, CC&R's will state that at a certain percentage of completeness of the subdivision, the HOA will be turned over. Mr. Salisbury stated that they are not in the HOA business. They don't want to police their clients on what they can and can't do. They disclose the information up front. They will hire a property management company. The expectation is set from the first day. The question asked if Mr. Salisbury could guarantee that the HOA won't be dissolved and the answer is that he can't. Five years down the road and the subdivision is built out and it is transferred to the homeowners, they residents could vote to dissolve it, but as it was brought up, there are a series of hurdles to do it.

Kelly Liddiard, Chair asked about the utilities. They will have individual gas meters and individual power meters, but what about water. [Individual water per unit] Is there a requirement for owner occupancy?

Chris Salisbury, Developer replied that it is varied. They will say 75% in some HOA's and others they don't say at all.

Kelly Liddiard, Chair indicated that FHA has the requirement. If it doesn't meet the FHA requirement then people won't get the FHA financing.

Chris Salisbury, Developer said because of the market Salisbury is selling to, FHA is a big deal to them. They want to keep their FHA eligibility.

Colin Logue, PC asked the planning commission members what their feelings were on the tree situation. Line of trees to make it more private. In Mr. Logue's opinion, he likes the trees. If it is not going to work with the fence for privacy, then the line of trees is the next best thing.

Clint Ashmead, PC indicated that he liked the tree idea, as well. By fencing it off, people will not be able to walk in and out of the open space.

David Clark, PC said he would like to see more trees on the east side of the road. His guess is that there are going to be smaller trees over the next 20 years and getting bigger and adding to the level of privacy. It is clear there are a lot of trees on the west side, but it is more sporadic on the east side.

Kelly Liddiard, Chair likes the sporadic trees on the east side rather than the uniform line on the west side.

David Clark, PC said the trees could be strategically place where they might be in front of a few windows.

Colin Logue, PC said he was assuming there was going to be nothing saying that the residents couldn't plant additional trees and vegetation.

Chris Salisbury, Developer said it is his understanding and talking with LEI the plans represent what the city code states as far as placement and number of trees. The city does have a list of approved trees.

Mayor Shelley said that once the city takes over the open space in phase 2, there are trees that will have to be replaced so there will be some additional trees. So there are some options.

David Clark, PC confirmed that all the landscaping will be completed front and back.

Chris Salisbury, Developer indicated that in the common areas there will be a concrete landing pad from the door and then there will be grass. Where they are over the HOA for a time, Salisbury wants it to look good. So the idea is to get it as finished as possible.

David Clark, PC read that there was a 12 percent grade on the driveways. Mr. Clark said he used to have a driveway with a 12 percent grade and there were times when he couldn't get in his driveway because of snow and ice. Is that percentage a done deal?

Kelly Liddiard, Chair indicated that it was up to a 12 percent grade. All the driveways are not going to be 12 percent.

Chris Salisbury, Developer said if they can keep them down, they will. Salisbury doesn't want to see steep driveways either. It depends on what they have to work with. Where it is privately owned all the snow removal is done including driveways.

David Clark, PC asked what the dues will be. [Mr. Salisbury didn't know yet]

Kelly Liddiard, Chair indicated a similar HOA of the size is about \$130 per month, which includes a pool.

Shay Stark, City Planner asked if the planning commission would be favorable to increase the size of the common area fence. There is not a lot that can be done with ten feet.

Kelly Liddiard, Chair indicated that the common area in another townhome community is at least 12-15 feet. That would then give the residents enough room to put a picnic table.

Sewer will be connected through 11200. Sewer needs to be kept high enough so there aren't any injectors.

The planning commission discussed some considerations and follow up with Mr. Salisbury on the items that need to be researched for cost.

**COLIN LOGUE MOTIONED AND CLINT ASHMEAD SECONDED TO RECOMMEND APPROVAL TO THE CITY COUNCIL OF HORIZON VIEW FARMS PRELIMINARY PLAT ASKING SALISBURY HOMES TO CONSIDER THREE ADDITIONAL PUBLIC CONCERNS:**

**1. ADDITIONAL VEGETATION/LANDSCAPING ALONG EAST SIDE.**

**2. LARGER BACKGROUND/Common Area than 10 feet, possibly up to 15 feet.**

**3. NON-USE OF VINYL FOR BUILDING MATERIAL AND USE OF BETTER QUALITY**

**PRODUCT.**

**VOTE: YES – ALL (4), NO – NONE, ABSENT - (2) KEVIN HANSBROW, CORY THOMPSON**

*Andy Costin abstained from voting because he was an adjacent property owner.*

#### **SEPTEMBER 12, 2013 PLANNING COMMISSION MINUTES**

One correction was suggested by Shay Stark.

**CLINT ASHMEAD MOTIONED AND ANDY COSTIN SECONDED TO APPROVE THE PLANNING COMMISSION MINUTES OF SEPTEMBER 12, 2013 AS AMENDED. VOTE: YES – ALL (5), NO – NONE, ABSENT – (2) KEVIN HANSBROW, CORY THOMPSON**

#### **CITY COUNCIL UPDATE**

Mayor Shelley indicated that the fire station setbacks and lot line adjustment were approved by the city council at the last meeting. There were a few issues that were taken care of and the building permit was to be issued the following day.

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 8:36 p.m.

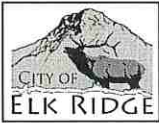


Planning Commission Coordinator

1

2

3



## **CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**

t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

### **NOTICE OF PUBLIC MEETING - PLANNING COMMISSION**

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 14 November 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

### **COMMISSION MEETING AGENDA**

#### **7:00 pm OPENING ITEMS**

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

#### **PUBLIC HEARINGS AND ACTION (none)**

#### **OTHER ACTION ITEMS (none)**

#### **7:05 DEVELOPMENT CODE / STANDARDS REVIEW**

1. Discussion of Parks Project..... *see attachment*
2. Bella Vista Lane - Future Development ..... *see attachment*

#### **7:35 PLANNING COMMISSION BUSINESS**

3. Review & approve minutes of 10/7/13 & 10/10/13 meetings ..... *see attachment*
4. City Council Update
5. *Other Business*

#### **ADJOURNMENT**

### **CERTIFICATION**

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 8 November 2013 and delivered to each member of the Planning Commission on 8 November 2013.

Planning Commission Coordinator: *Marissa Bassin* Date: 8 November 2013

1

1

1



# ELK RIDGE PLANNING COMMISSION

November 14, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, November 14, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Colin Logue, Andy Costin, Kelly Liddiard, Cory Thompson, Kevin Hansbrow,  
*Absent:* Clint Ashmead, David Clark  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
Dale Bigler, *City council elect*

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were said by Kevin Hansbrow, followed by the pledge of allegiance.

## APPROVAL OF AGENDA

No changes were made to the agenda.

## DISCUSSION OF PARKS PROJECT

Shay Stark, City Planner provided a background by going through the slideshow he previously presented to the city council. The city council has given the project to the planning commission to work on.

*The City's parks and recreation Impact fee does not comply with the current state code. [Needs to be updated - Aqua Engineering submitted a proposal at the city council meeting and it was accepted.] City standards are lacking of the physical construction of such facilities. The language in the current PUD ordinance may not provide the desired outcome. The goals in general plan are not affordable.*

The impact fees for parks and open space was created back in 1987 and it was very generic. A number for cost per square footage/acreage and determine how many acres of park land was wanted for the number of people within the city. Now the law requires more specificity on how the funds are spent. Every year it changes, but currently the city needs to tie down where the parks are going to be, what amenities, and the cost of the items. Then look at what the fees are and break out as how much benefits and takes care of impact from new growth versus the benefit of the existing population.

*Current impact fee law requires more specificity in how fees are calculated and where they are spent. City must determine a desired level of service. New growth cannot pay to increase the overall level of service. City must determine service area where fee applies. Could require multiple fees. Proposed projects must be detailed in capital facilities plan with costs, and proportional share attributed to new growth.*

Dale Bigler, Council-elect asked if the city had to justify the fee for developers for the existing parks.

Shay Stark, City Planner explained that the city determines a level of service. Currently, the city has one park that is owned. There will be a second one once the deed is turned over to the city. Between the two parks there is roughly 14 acres. For the current population, are the two parks/14 acres acceptable?

Kevin Hansbrow, Co-chair asked if there is a minimum acreage per number of people.

Shay Stark, City Planner indicated there are standards, but there is not a state requirement. There is some variance. The city needs to determine if they are going to maintain the same level of service. If so, then any new park that is developed or any new thing that is added to the park would occur because of new growth. If the level of service is raised, then the level of service is raised for everybody and what portion will benefit the existing residents or will it purely benefit the development.

Kevin Hansbrow, Co-chair asked if it would affect the PUD.

Shay Stark, City Planner indicated that the PUD is already approved so that won't change. The PUD has caused the city to question.

*The City should have standards and specification for parks physical features. Parks are aesthetically uniform. Developers have a clear idea of what is required from the beginning. Maintenance is less expensive when materials and construction are standardized. Fewer items to stock and fewer items to learn how to maintain.*

There are standards that the builders have to conform to and the city needs to add in the types of trees, grass. It is being worked on by Paul Squires, City Councilman, and it will be adopted once finished. The list of the types of trees may not change; maybe some shade trees will be added.

Shay Stark, City Planner

*Does the PUD ordinance accomplish what the city desires with respect to parks and open space? What benefit does the city receive from the PUD ordinance? What benefit does the developer receive? Does the city still desire higher density zones? Can the desired results be accomplished in a simpler manner under the standard zones?*

Does the city really want 25% of the land developed as parks and open space?

Kevin Hansbrow, Co-chair said the reason being was because the residents wanted it to still feel like a hillside community with a lot of open space. For some reason, people thought that all the open space would be parks, but that is not the desired look. The houses were designed to be dense so the city could still have the open space and look and feel like a hillside community.

Further discussion took place regarding the open space and the problems of it becoming a weed patch. Instead of having the city do all the maintenance for the open space, volunteer days were suggested.

Shay Stark, City Planner explained that there has to be a balance between what the City can afford and maintain and what is desired.

Mr. Stark talked about the park survey that was scheduled to go out with the utility bills. If there is another park, there will need to be another employee to help maintain it. General plan proposes eight larger parks around the city and the question is whether or not the residents want a tax rate increase to help maintain those parks.

The general consensus of a few planning commission members was to not bond and not build until the city can afford it. Generally, parks are not built until there are homes/people to pay for it.

Shay Stark, City Planner indicated that the City can make some of the park/open space requirements within the regular zones. The current issues with the PUD can be eliminated by using the existing zones to dedicate land.

Kelly Liddiard, Chair asked if the planner was recommending because of the dollars to maintain the parks, to eliminate some of the parks on the General Plan.

Shay Stark, City Planner indicated that he was recommending looking at what the real costs are going to be and as Kevin Hansbrow said, see what the City can truly afford. If the residents are willing to raise the taxes to maintain the eight proposed parks, then there is not a problem. The city needs to know what the residents want and that is why they are sending out the survey. The City may or may not need to update the general plan depending on the outcome of the survey.

Colin Logue, PC commented that there needs to be some numbers together so when the planning commission has a public hearing, they are prepared.

Shay Stark, City Planner indicated that the proposal for the city council was as follows. *Send out a survey. Create a committee of city representatives, citizens and developers to craft ideas for the creation of and implementation of the vision. Seek public input on the proposed ideas. Adopt the vision. (Update parks and recreation sections in the general plan). Implement the vision by using this vision as a guide to updating the impact fee analysis, creating standards and specification, update development code, and update the general plan.*

Cory Thompson, PC said there needs to be a cost analysis so the residents will know what it is going to cost and what their tax increase would be.

Shay Stark, City Planner said that in his experience of park surveys is that every time there is a survey, the residents are asked what they want to see and of course, they all want everything, but the cost is never put forth. The reality is if there are three or four more parks, there will need to be a parks department. The public works director is not going to be able to maintain the parks, water and sewer and everything else. There will have to be someone over the parks department.

The consensus of the planning commission was to get the survey back, run the numbers and then have a public hearing. How much will taxes be raised per money per acre? A general estimate.

#### BELLA VISTA LANE - FUTURE DEVELOPMENT

Shay Stark, City Planner provided a background of Salem Hills Subdivisions. In 1979, Plat H was developed on Canyon View and Plat I across Salem Hills Drive. Plat J was along south Hillside Drive. In 1981, Plat K and Plat L were proposed to the city. In 1982, there was a recession and the developer didn't move forward anymore. The plats were never approved. Plat K consisted of the proposed lots on Bella Vista. Plat L was the proposed lots along Alexander Drive on both sides of the street and the two cul-de-sacs. There were two developers, one on each plat. The bank foreclosed on Plat L and certain properties on plat K. Mr. Markham (Plat K) took the proposed lots and deeded them to children to hold onto as much as he could. The bank didn't pay the taxes on the lots and ended up turning over property to the county in lieu of taxes. The bank gave the county the "would be" Bella Vista Lane and the "would be" Alexander Drive and the next year the county turned them over to the city. The two parcels turned over were listed as access easements. The land for Plat L was eventually sold and developed. The lots on Bella Vista Lane are illegal. The lots have been purchased and sold many times over the years. There have been two issues brought up over the last few weeks. One of them is the garage built on the Richardson property. Originally, Mr. Richardson had owned the lot on Salem Hills Drive that had a home on it. The house was later on foreclosed on. He built the garage on the other lot fronting Bella Vista. When the garage was built, the city pretty much ignored the accessory building code. The 11,000 square foot lot should only have a 350 square foot accessory structure on it. Accessory buildings are a conditional use and there wasn't any application for a conditional use.

Cory Thompson, PC said he had talked with Ed Christensen who helped build the garage indicated that the electricity hook ups are attached to the house. The property cannot be utilized on its own because it doesn't have utilities.

Shay Stark, City Planner summarized that the property is an illegal parcel. It is not a zoning lot. There is a building that was permitted by the city that doesn't meet setbacks or maximum square footage for the building. There is not a conditional use in place. The owner now wants to sell the property with the garage. He has had a couple of buyers, but the bank reviewed the lot and they need a letter from the city indicating that the parcel and structure are legal and conforming. Mr. Stark wrote a letter stating the parcel and structure are illegal, which created some problems. It needs to be resolved. He has been working with the realtor and researching the law to try to find a resolution for it. For Mr. Richardson to sell the structure, the bank needs to know that the city is not going to make the owner tear the building down.

Kelly Liddiard, Chair asked how it is going to be legal. Will it be grandfathered in?

Shay Stark, City Planner indicated that the problem is that the city issued a building permit. The city approved the building and allowed him to build it. The area is now zoned for 15,000 square foot lots. The parcels along Bella Vista Lane are 11,000 square foot parcels.

There is an exception in 10-12-30 city code that states that if the parcel is on a street and there are lots around it within 400 feet and are within 80 percent of the size of those lots and the setbacks for the current zone can be met, the exception can be granted.

Kelly Liddiard, Chair asked about the lot with the garage north of the said parcel.

Shay Stark, City Planner indicated that the lot to the north went through a process and a zoning declaration was recorded with the county. There is nothing in state law that allows for a zoning declaration. The zoning declaration states that the Ogden's were going to do a lot combination, but never did. So that lot is also illegal. The city will need to deal with both illegal lots. The Ogden's process will be slightly different from the Richardson situation. The Ogden's can still do the lot combination and it will be okay. It will need to be a subdivision amendment. The Richardson lot will need a conditional use permit and then the planner will write a letter to the bank. The conditional use will have some strict conditions associated with it. The structure can only be used for what it is currently being used for.

As soon as it is no longer being used for that purpose, it will need to conform to the current code. In reality, they would have to tear down part or all of the structure.

Kelly Liddiard, Chair asked about the other 11,000 square foot lots.

Shay Stark, City Planner indicated there was a developer who was approached by the Goodsell family to purchase the three parcels they own. It could be an opportunity for the city to resolve the issue. In order to resolve it, the city will need to allow the parcels to be developed at 11,000 square feet. The developer was going to talk with the other property owners to see if they could purchase the other properties to develop at least five lots. If he could do that, it would make it financially feasible to develop the road and put the utilities in. The houses on the south side are all 11,000 square foot lots. That was what it was zoned at the time the Salem Hills Plats were proposed.

Cory Thompson, PC asked if the small lots could accommodate the minimum dwelling size.

Shay Stark, City Planner replied that it will be tight, but possible. The advantage with the lots is that they are relatively flat and rectangular.

Park impact fees were discussed.

Shay Stark, City Planner indicated that a new zone should not be created. He proposed that the developer should apply for the zoning exception, but the problem is that it has a maximum of two lots that it can be utilized for. Mr. Stark said there should be an exception for the zoning exception. The case is unique and there is the opportunity to fix the issues in that area of the city. If the developer can get five lots to develop, the developer will take the road through. If there are two or three property owners who are willing to pay their portion of the road and utilities, it would be worth it for the developer.

Kelly Liddiard, Chair commented that the road should not be a stub road.

Shay Stark, City Planner said the developer doesn't want to invest a lot of time and money into the project unless it looks feasible. The issue was brought to the planning commission as informational at this time. The city council was fairly positive about the idea to resolve the size issue. The other issue...Mr. Stark was going to ask Mr. Richardson to apply for a conditional use and put stipulations on it.

Kelly Liddiard, Chair didn't mind the 11,000 square foot lots because there is already 11,000 square foot lots developed in the area.

Dale Bigler, City Council-Elect said the road should be put through.

Shay Stark, City Planner commented that if there are property owners who did not choose to participate in the road, there will be a contract so the developer can get reimbursed for it within 30 years. Ogden has an escrow account set up to develop their part of the road. The consensus of the planning commission was to move forward with the suggestions of the city planner.

#### OCTOBER 7, 2013 & OCTOBER 10, 2013 PLANNING COMMISSION MINUTES

CORY THOMPSON MOTIONED AND KELLY LIDDIARD SECONDED TO APPROVE THE ELK RIDGE PLANNING COMMISSION MINUTES OF OCTOBER 7, 2013 AND OCTOBER 10, 2013 AS CURRENTLY CONSTITUTED. VOTE: YES  
- ALL (5), NO - NONE, ABSENT - (2) DAVID CLARK, CLINT ASHMEAD

#### CITY COUNCIL UPDATE

There was not a council member present for an update.

ADJOURNMENT - Chair, Kelly Liddiard, adjourned the meeting at 8:00 p.m.

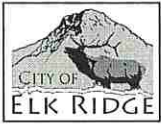
  
Planning Commission Coordinator

1

2

3





**CITY OF ELK RIDGE - 80 East Park DR - Elk Ridge, UT - 84651**  
t.801/423-2300 - f.801/423-1443 - email [staff@elkridgecity.org](mailto:staff@elkridgecity.org) - web [www.elkridgecity.org](http://www.elkridgecity.org)

## NOTICE OF PUBLIC MEETING - PLANNING COMMISSION

Notice is hereby given that the Elk Ridge Planning Commission will hold a planning commission meeting at the date, time, and place listed below. Handicap access is available upon request. (48 hours notice)

- Meeting Date - **Thursday, 12 December 2013**
- Meeting Time - **Commission Meeting - 7:00 pm**
- Meeting Place - **Elk Ridge City Hall - 80 East Park DR, Elk Ridge, UT 84651**

## COMMISSION MEETING AGENDA

### 7:00 pm OPENING ITEMS

Opening Remarks & Pledge of Allegiance  
Roll Call/Approval of Agenda

### 7:05 PUBLIC HEARINGS AND ACTION

1. Haskell Golf Course Preliminary Plat..... *see attachment*

### OTHER ACTION ITEMS (none)

### DEVELOPMENT CODE / STANDARDS REVIEW (none)

### 7:25 PLANNING COMMISSION BUSINESS

2. Review & approve minutes of 11/14/13 meeting ..... *see attachment*
3. City Council Update
4. *Other Business*

### ADJOURNMENT

## CERTIFICATION

The undersigned duly appointed and acting Planning Commission Coordinator for the municipality of Elk Ridge hereby certifies that a copy of the foregoing Notice of Public Meeting was emailed to the Payson Chronicle, Payson, Utah, 5 December 2013 and delivered to each member of the Planning Commission on 6 December 2013.

Planning Commission Coordinator: *Maissa Bassi* Date: 6 December 2013



1

2

3

# ELK RIDGE PLANNING COMMISSION

December 12, 2013

## TIME AND PLACE OF MEETING

A regularly scheduled meeting of the Elk Ridge Planning Commission was held on Thursday, December 12, 2013, at 7:00 p.m. at 80 East Park Drive, Elk Ridge, Utah.

## ROLL CALL

*Commissioners:* Kelly Liddiard, David Clark  
*Absent:* Clint Ashmead, Colin Logue, Andy Costin, Cory Thompson, Kevin Hansbrow  
*Others:* Shay Stark, *Aqua Planner*  
Marissa Bassir, *Planning Commission Coordinator*  
*Public:* Lee Haskell, Developer, Julie Cloward, Nancy Clawson

## OPENING ITEMS

Kelly Liddiard, Chair, welcomed at 7:00 PM. Opening remarks were not said, followed by the pledge of allegiance.

The planning commission did not have a quorum of four members so there was not any action.

## APPROVAL OF AGENDA

No changes were made to the agenda.

## HASKELL GOLF COURSE PRELIMINARY PLAT PUBLIC HEARING

Shay Stark, City Planner provided a background of the proposed subdivision. It is located off of Elk Ridge Drive on Olympic Drive toward Gladston Golf Course. Payson City owns some property adjacent to the Golf Course. The subdivision is currently zoned as R-1-15,000 so the minimum size of lot is 1/3 acre. The development encompasses 11.77 acres and is proposed to have 21 lots. Olympic lane would continue to the west. The road has been stubbed out for future development. Mr. Stark explained that Elk Ridge owns three adjacent parcels for a future city park.

Kelly Liddiard, Chair asked if the Olympic Drive will be the existing dirt road up to the RV Park.

Shay Stark, City Planner indicated that it is not. The dirt road is further south.

Kelly Liddiard, Chair asked how close the lots on the cul-de-sac were to the slope by the public works building.

Shay Stark, City Planner indicated that the back of the lots extend part way down the slope. The slope encroaches a little onto the buildable area, but not much. Most of it is in the 30 foot setback. The building envelope is on flat ground. If the person wanted a walk out basement, it would work with the drop off. Mr. Stark also explained that there is multiple property owners involved with the development. Payson City, Nixon, and Elk Ridge City are all involved along with Lee Haskell.

Farther discussion took place regarding the drop off, grading and slopes of Lot 1 in back of the public works building.

Kelly Liddiard, Chair was concerned about lot 1 and the noise that will be generated from the public works department.

Lee Haskell, Developer stated that the city shouldn't have put the public works building there. When the property was purchased from Lee Haskell 20 years ago, the verbal agreement was that there was going to be a ball park and the drainage for the storm drain system. 20 years later, a public works building was built. Mr. Haskell was not happy nor was Dr. Williams. But they didn't get it in writing. City council, planning commissions and mayor change and it wasn't upheld. The three lots are really nice lots so the public works building didn't help.

Kelly Liddiard, Chair was concerned about the skyline, but thought maybe it wasn't that big of a rise. Building the houses right on the edge of the hill...

Lee Haskell, Developer said there would definitely be a berm to control the water, but they won't be able to control the view because they would have to build a 20-foot high fence to block out the view of the public works building.

Shay Stark, City Planner said there was a good 20 feet difference in the height on top of the lot versus down in the public works facility. When the home is built, they will see the roofline of the public works building. It won't be a problem.

Lee Haskell, Developer was concerned because of the excavating going on in that area and they are cutting the slope 3:1, which is the minimum according to code.

Shay Stark, City Planner indicated that once they cut 2:1, then they have to start looking at structural issues with it. The city would like to see no more than 3:1. Mr. Stark said that Mr. Nelson will re-grade the area as he leaves it. It is supposed to be reclaimed.

Lee Haskell, Developer indicated that Mr. Nelson was getting close to the road so the mayor talked to him and is having him stay back a good 30-40 feet. It will be nice for residents over the next 100 years to be able to park on the street to see watch their kids play ball.

Kelly Liddiard, Chair asked what Payson City is doing with their property.

Lee Haskell, Developer indicated that he had talked with Payson City two years ago to see if they wanted to be part of the development. Payson City originally wanted to bring the road in, but it intersected in the middle of a block so the city was not favorable to the road. Olympic Lane needed to be continued through. Payson City worked out the deal with Dave Nixon to subdivide the corner piece of property. Eventually, Payson City will continue developing into the Golf Course with some townhomes or something like that. Mr. Haskell will have the sewer installed for Payson to connect to, which benefits them.

Kelly Liddiard, Developer commented that it was interesting that all of Payson's access roads would be through Elk Ridge City.

Shay Stark, City Planner stated that would need to be addressed with Payson City if they develop townhomes because there is potential for a significant amount of traffic using the local streets. The impact will need to be addressed.

Lee Haskell, Developer, indicated that he has been in contact with Payson City regarding the impact of the sewer line and if they would like to participate with the sewer line.

Shay Stark, City Planner said he remembered the sewer was sized so it could handle what development Payson thought would occur.

David Clark, PC, asked about the impact of the water.

Lee Haskell, Developer, replied that Payson City has talked to Mayor Shelley and Cody Black to see if they had enough water to supply the development. Payson City definitely wants to purchase water from Elk Ridge. Shay Stark, City Planner indicated that for Payson City to supply the water to that property would be difficult. They would have definite water pumping issues. Mr. Stark indicated that at city council there were some people there discussing water rights. Somebody would like to bring another 100 acre feet into the city. The actual water is underneath Utah Lake. They want to assign the water to Elk Ridge, which is fine. They also said the city should put a 2000-foot well down in Utah Lake and pull water from there. It is a huge aquifer as big as the lake or bigger. The cost to do that would be a lot more expensive than drilling another well in Elk Ridge. Does Elk Ridge have the sources?

David Clark, PC, indicated that there are always a few people that are concerned because they do have water rights and is there going to be enough water when they develop.

Kelly Liddiard, Chair, stated that the developer has the water rights; they are guaranteed the access to the water.

David Clark, PC said developers are concerned about the new developments going in.

Shay Stark, City Planner said there was a study done associated with the build-out, but he has not seen it yet. Mr. Stark believes Elk Ridge is using 750 acre feet and the total build-out of Elk Ridge will require about 1250 acre feet so that gives an idea of where the city stands. So far the wells are able to handle the current flows. There is somebody that is looking at doing an aquifer higher up in loafers Canyon, which will help because of the gravity factor. It might be expensive to develop, but the overall water prices will be less expensive.

Kelly Liddiard, Chair opened the public hearing at 7:27 pm.

Public, Julie Cloward indicated that they were coming to see what was going on because their property is right next to the development. They didn't know where the road was coming, but their question was already answered previously.

Lee Haskell, Developer, indicated there will be one deep lot between Nixon's house and their house.

Public, Julie Cloward commented that traffic could be an interesting issue.

Lee Haskell, Developer said that the traffic would be a lot cleaner because it will no longer be a dirt road.

Public, Julie Cloward asked where the people would park when they are visiting the park.

Shay Stark, City Planner said that the city needs to visualize what the city park is going to be. There is a park survey that is going to be sent out to get a feel for what the residents really want. The residents may not want anymore soccer fields because once the city takes over the park in Elk Ridge Meadows Phase 2, the residents may feel that there isn't a need for more soccer fields. The survey will help to design the park. Mr. Stark thought there would be a parking lot on the park property, not on the street. There will be an access from Olympic Drive and probably from Goosenest Drive.

Kelly Liddiard, Chair commented that the corner property on Goosenest Drive will be the future city hall.

Lee Haskell, Developer, indicated that right now there is not a definitive plan, but they will grade it and that is the only plan in place.

Kelly Liddiard, Chair commented that there is a rendering of the building.

Shay Stark, City Planner stated that ideally, the parking lot accesses will be staggered so the parking lot doesn't become another street where residents cut through. The mayor would like to have the plans in place within the next few months. Once the survey is complete they will start the process.

Public, Julie Cloward was curious as to who was going to buy the property on the corner of the park (Lot 1) and have two sides of their yard be adjacent the park.

Lee Haskell, Developer, indicated that the city at one time was interested in purchasing the lot, but the price was too high for them. It was discussed at the city council and they decided not to. The mayor wanted to buy the lot for \$25,000 and Mr. Haskell was not will to go that low. He wants at least \$35,000 because it is a half acre.

Public, Julie Cloward thought it looked weird. She wouldn't like the lot where it is.

The parameter of the subdivision development was discussed. The edge of the subdivision ends right at about Elk Ridge Drive if it went straight through to the golf course.

Public, Julie Cloward questioned the timeframe of when Mr. Haskell would be breaking ground.

Lee Haskell, Developer, indicated they would like to start the first of 2014 depending on the weather and try to have it all done by September or October before the road can't be paved. Mr. Haskell would probably start with the sewer bringing it up from Ryan Johnson's property.

Public, Julie Cloward asked how large the homes would be in square footage.

Lee Haskell, Developer, indicated that some of the lots are almost 2/3 acre.

Shay Stark, City Planner stated that in the R-1-15,000 zone, the homes have to be at least 2000 square foot main floor.

Public, Julie Cloward asked if they could the property owners could have a horse on their land. Chickens?

Kelly Liddiard, Chair indicated they could not have a horse on their lot. They can have chickens with a conditional use permit, which would have to be applied for and approved by the planning commission.

Kelly Liddiard, Chair closed the public hearing at 7:37 pm.

There is room for further negotiations as far as the purchasing of lot 1.

Lee Haskell, Developer, asked whether the development needs to have street lights.

Shay Stark, City Planner said it was not clear in the code, but it is not a private development like Horizon View Farms. It is on the checklist, but it doesn't show up specifically in the code. It will need to be looked at further.

There was not a quorum so there was not any action taken on the item. The item will be placed on the next planning commission meeting scheduled for January 9, 2014 for action.

## NOVEMBER 14, 2013 PLANNING COMMISSION MINUTES

There was not a quorum to approve the meeting minutes of November 14, 2013.

**CITY COUNCIL UPDATE**

There was not a council member present for an update.

**ADJOURNMENT** – Chair, Kelly Liddiard, adjourned the meeting at 7:45 p.m.

  
Planning Commission Coordinator

1

2

3